

TINSLY BUILDING

DRAWER 4 LAW PRACTICE

71.2009.085.04118



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Abraham Lincoln's Law Practice

Tinsley Building

Excerpts from newspapers and other
sources

From the files of the
Lincoln Financial Foundation Collection

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CENTENNIAL BUILDING • SPRINGFIELD, ILLINOIS 62706 • PHONE 217/525-4836

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July 3, 1969

Mr. R. Gerald McMurtry
The Lincoln National Life Foundation
Fort Wayne, Indiana 46801

Dear Gerald:

I will try and answer your letter of June 24. The compilation is correct to the best of my knowledge. Now the questions:

1. I didn't research much after 1894 but do know a little. After the bank went out of the first floor in 1914, it was rented for businesses. For many years and until the restoration there was a shoe store. The second floor seems to have always been law offices. However, only one was left when restoration started; the rest were vacant. The third floor was occupied for the last 72 years by Murray S. Hanes and his father, S. J. Hanes, who were architects.

2. The building was purchased and restored and is still owned by Mr. & Mrs. James E. Myers, Mr. & Mrs. Robert B. Oxtoby, and Mrs. H. B. Bartholf.

3. The cost, purchase and all, was around \$300,000 but I think the owners prefer not to publish this.

4. It was opened last fall--no special event or formal opening.

5. The folder is the only literature so far.

Requests:

Dick Phillips writes that he is sending the photos he used. I will get a copy of the original ad picture and any other you need. If you have special requests I can have

Mr. R. Gerald McMurtry

-2-

July 3, 1969

our photographer make them. We made no photos of the relics found under the attic floor. I have just purchased from the Hanes family some they found during the 72 years they had possession of the third floor and attic. I am sending copies of the two Lincoln related documents I found recently in the attic. We also found the account book of the Matheny Store of first floor, several Illinois newspapers of the 1840's, Federal Court documents, some documents of the U. S. Provost Marshal during the Civil War, business catalogs and almanacs. Some documents dated back as early as 1820. There was also some land records when John Taylor was receiver of the land office in Springfield. John Taylor was S. M. Tinsley's father-in-law.

There is no picture of Tinsley. His is a sad story. He was born in Virginia. He married Hannah Taylor in 1833 and they had eleven children. The next year he formed a business partnership with his father-in-law, John Taylor, which lasted until 1837.

The E. D. Taylor who became his partner in 1841 was not a blood relative of his father-in-law but became a relative when he married Margaret Taylor, Mrs. Tinsley's sister. The Charles R. Hurst who was also a partner in business married Ann Taylor, another sister of Mrs. Tinsley. Hurst got into business first by buying out Joshua F. Speed when he went back to Kentucky. As you can see it was pretty much a family affair. S. M. Tinsley at one time had a fine home and had erected the large Metropolitan Hall. He was a director of the Mechanics & Farmers Bank in 1852, opened a large lumber yard in 1856 and a large flour mill in 1859, but then seems to have run into trouble. His wife died February 23, 1867, aged 56 years, and her funeral was held at St. Paul's. He seems to then have closed or lost his home, for on March 25, 1868, when a fire destroyed the Metropolitan Hall which he no longer owned and which had been converted to a mill, the Register said Mr. Tinsley, the former owner, had a sleeping room in the building and was nearly killed. The next year he died at 62 years of age and was buried in the Hutchinson Cemetery but was moved to Oak Ridge Cemetery in November 1870 and buried in an unmarked grave in

Mr. R. Gerald McMurtry

-3-

July 3, 1969

the lot of his brother-in-law, E. D. Taylor. He left no estate to probate and none of his eleven children seem to have been still around.

Sincerely,

A handwritten signature in black ink, appearing to read "James T. Hickey".

James T. Hickey
Curator, Lincoln Collection

JTH/hm
Encl.

1.

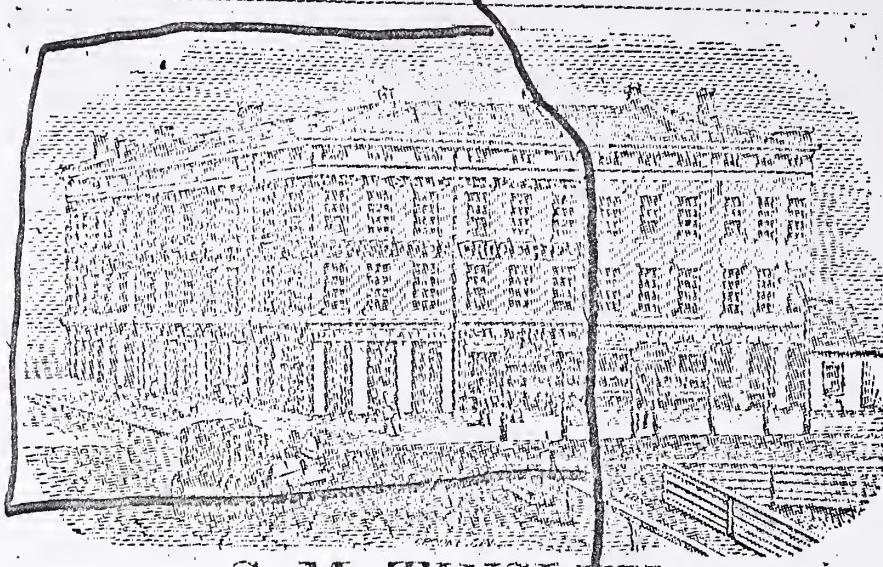
S. M. Tinsley buys lot from Garrett Elkin Thomas & Isaac Constant Wm. F. Elkin, July 7, 1840. Construction started Dec. 25, 1840. The uncompleted building is occupied by the firm of Opdycke Tinsley & Co. who move into the west half of building (2nd 20ft fronts) Jan. 27, 1841 A notice in Journal says that an art exhibit by Wilkins & Stevenson will be held in building.

9 Garrett Elkin and Eliza his wife
Thomas Constant & Margaret his wife
Isaac Constant & Amy his wife
Wm J. Elkin and Eliza his wife
to
Seth M. Tinsley.

July 7 1840. Consideration \$500. Warranty Deed.
Conveys beginning at the S.E. corner of Lot 1 in
Block 22, thence South with the East line of
said lot 107 feet, thence West 100 feet thence
North 107 feet to the North line of said lot
thence with the N.W. line of said lot 100
feet East to the beginning, being part of said

lot 1 in Block 22, in the City of Springfield, also agrees
to open an alley 10 ft. wide and 80 ft. long through the
said lot 1 in Block 22, running through said lot E.
N. and immediately adjoining the said piece of ground
heretofore conveyed commencing at the S.E. cor. of the said
parcel of ground, thence N. 80 ft. to the N. line of said lot,
thence S. 10 ft. thence E. 80 ft, thence S. 10 ft. to beginning
and convey to the party of the 2nd part, his heirs & assigns
being the owners of the whole or any part of the parcel of
ground herein contained a free and undisturbed
right of way & power over the alley aforesaid.
Ack. July 8, 1840. Recorded July 10, 1840.

"Q" 19



S. M. TINSLEY,
WHOLESALE AND RETAIL DEALER
IN
STAPLE & FANCY DRY GOODS;

Ready-Made Clothing; Bonnets, Hats, Caps, Carpets, Boots, Shoes,
Queensware, Glassware, Hardware, Groceries, &c., &c.

Stock always full, and Goods sold at the lowest value. Remember the place, No. 2 over the
door, south-east of the public square. County Produce always wanted and best prices paid at
Springfield, June 1, 1850.

Tinsley's No. 2.

This shows Tinsley Building as
originally built.

NEW FIRM.

S. M. TINSLEY, E. D. TAYLOR, and WM. COUGELL have entered into partnership, and will continue the Mercantile business at the late store of S. M. Tinsley, in the name of S. M. Tinsley & Co., where we are and will be prepared to furnish our friends with Goods of all kinds, on favorable terms.

S. M. TINSLEY,
E. D. TAYLOR,
WM. M. COUGELL,

Springfield, March 20th, 1840.—6

Register March 20, 1840

FRESH GROCERIES

AT WHOLESALE AND RETAIL.

O PYCKE TINSLEY & CO. (in the West store, of the four story building, lately erected by them, west of the American House.) Are now receiving from the Eastern Cities and New Orleans, direct, a good assortment, of Groceries, among which are the following articles, viz.:

22 Hds new crop N. Orleans Sugar, from 10 to 12 $\frac{1}{2}$ cts. per pound.
 50 Sacks green Coffee, good quality 16 $\frac{1}{2}$ per pound.
 10 Sacks white Coffee
 75 Boxes (in qrs. halves and whole) fresh fall crop Raisins.
 75 Boxes good Spring importation of Raisins;
 50 do Sperm Candles, 10 Boxes Bar Soap,
 10 do Pollard Starch, 500 lb first rate Cheese
 150 Sacks Liverpool & Ground Allum Salt,
 50 Barrels Molasses, 20 Barrels Loin Sugar,
 25000 Spanish Cigars, Regnalia, Lundries & other first rate brands,
 600 lbs Saleratus, 1500 lbs best Dutch Madder,
 150 lbs Spanish Indigo, 300 lbs Alum,
 4 bungs Pepper, 40 chests assorted Tens,
 2 barrels of Ginger,
 200 lbs fresh soft shell Almonds, 10 lbs Nutmegs,
 10 lbs Clove, 20 Mats Cinnamon,
 400 lbs fresh Rice, 8 boxes Honeydew Tobacco,
 10 boxes Common Ky. Tobacco.—ALSO

WINES AND LIQUORS.

A good supply, French and American Brandy; Port, Madeira, Malaga, Sicily and Sherry Wines; American and Holland Gin, Jamaica Spirits; 30 baskets superior Chumpigny, Irish and American Whiskey, Stone-Ware,—15 boxes Cotton Yarn.

A large assortment Wooden-Ware, such as Buckets, Tubs, Churns, Keelers, Cans, &c.—ALSO Iron and Castings, will be constantly kept on hand, all of which will be sold low for Cash at wholesale and retail.

N. B. 150 new cured Bacon Hams, on hand and for sale.—also, Pickled Pork and Lefout retail or otherwise.

O. T. & Co.

Springfield, Dec. 25. 1840.

Register Dec. 25, 1840

July 22, 1842 Journal
 Tinsley offers store room
 w/ Pyckle, Taylor & Co for

EXHIBITION OF PAINTINGS.

UPWARDS of one hundred highly finished drawings, in water colours, miniatures, &c;

Messrs. Wilkins & Stevenson, having completed the arrangement of the above works of art, in S. M. Tinsley's new building, take this opportunity of informing the inhabitants of Springfield, and its vicinity, that the Exhibition is now open for their inspection.

ADMISSION GRATIS.

From the practice and professional education, Messrs. W. & S. have had in Europe, in Portrait and Miniature Painting, they can fearlessly challenge the Western country, in the above branches of the fine arts. Entrance opposite the American house.

Springfield Jan. 27, 1841.

3w

Journal Jan. 27, 1841

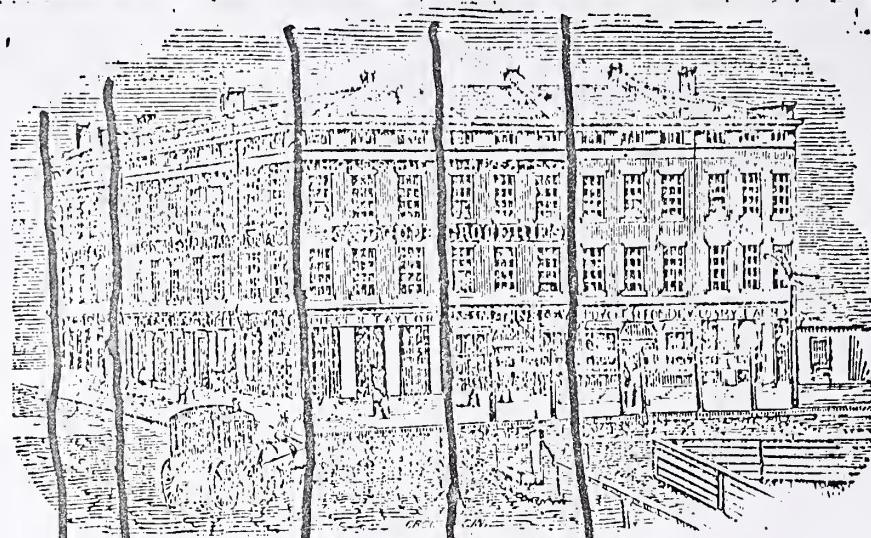
REMOVAL.

S. M. TINSLEY & Co. have removed their entire stock of Goods to the New four story Brick Building, on the south east corner of the Public Square, directly opposite the American House, where they have on hand a good stock of simple and fancy goods, which will be sold cheap for cash or short time payment customers, and to our old and tried friends on the usual terms.

S. M. TINSLEY & Co,

Springfield, March 5.—6w

Register Mar. 5, 1841



S. M. TINSLEY,
WHOLESALE AND RETAIL DEALER
STAPLE & FANCY DRY GOODS;

Ready-Made Clothing; Bonnets, Hats, Caps, Carpets, Boots, Shoes,
Quenware, Glassware, Hardware, Groceries, &c., &c.

Stocks always full, and Goods sold at the lowest value. Remember the place, No. 2 over the
door, south-east of the public square. County Produce always wanted and best prices paid at
Springfield, June 1, 1850.

Tinsley's No. 2.

1 2 3

Bart office was in 1st floor No 1

S. M. Tinsley was in corner No 2

Oscelyke, Tinsley & Co was in No 3.

Reg Apr 3, 1846

SPREAD THE NEWS.

CONDELL, JONES & CO.

ARE now receiving at their well known Store
on the North West Corner Square Springfield,
by far the largest, best and cheapest assortment of
Fall and Winter

GOODS

that can be found any where in these parts consisting principally of

DRY GOODS,

Embracing every variety of Fashionable, fancy and Staple articles in this line, rich—rare—and cheaper than ever,—Rugs and Carpeting Ladies' Bonnets.

BOOTS & SHOES

Of every size, quality and price,—we are prepared to show customers more leather made up into good Shoes, than any other establishment in the city, and from prices varying from low to little or nothing.

Also—Men's and Boys winter CAPS, in great variety, and in short all descriptions of Goods suitable for the season. Without desiring either to boast or banter, they wish it to be expressly understood by all that as usual they intend

GIVING

more goods for less money than any house in the place and if our friends and customers will do us the favor to call and examine our fresh stock we will endeavor to give them such bargains, that they will go

AWAY

Satisfied the cheapest goods are to be found at
HEAD QUARTERS

FOR NEW AND CHEAP GOODS.

Springfield, Ill. Oct. 24, 1845—ly.

350 PACKAGES OF
NEW FALL AND WINTER GOODS.

S. M. TINSLEY & CO.

Are now receiving their usual large and well selected Fall and Winter Goods, which have been carefully selected (in Boston, New York, Philadelphia and Baltimore) by one of the firm. Having bought many from the manufacturers direct, will enable them to sell CHEAP. Among which are the following, viz:

A great variety of black, blue, brown, olive, green mixed and cadet Cloths,
150 pieces assorted Cassimeres, Sattinets and Jeans Beaver and pilot Cloths, for over coats,
All kind of goods for boys' and children's clothes,
100 ps Alpacca Lustres, a great variety, and cheap,
Mouslin De Laines and Cassimere Decoss,
500 ps new style Calicoes, (the cheapest in town)
A great variety of Fancy Silks, for dresses and trimmings,
50 ps Tickings, 500 ps brown Cottons,
Drillings, Checks, Canton Flannels,
Bleached Muslins, Sheetings, &c., &c.,
50 ps scarlet, yellow, white and pink Flannels.

ALSO

The greatest variety Hats, Caps and Bonnets, ever offered here, very cheap, direct from the manufacturers.

ALSO

The largest and best assortment of Boots and Shoes in the market, and never cheaper.

ALSO

All kinds Glass, China and Queensware,

ALSO

All kinds Groceries, Salt, Iron and Castings, Saddles, Cotton Yarn, &c &c.

Constituting the largest and best stock in town, and as we are determined to sell them out by spring we intend offering goods lower than common in this place, and dont intend to be undersold for cash or good pay.

S. M. TINSLEY & CO.

Springfield, Oct. 24. 1845.

P. S.—We want Wheat, Pork, Dry Hides, Beeswax, Butter, Feathers, flour, Barrels, lard, and pork Barrels, and many other articles of country make for goods and cash.

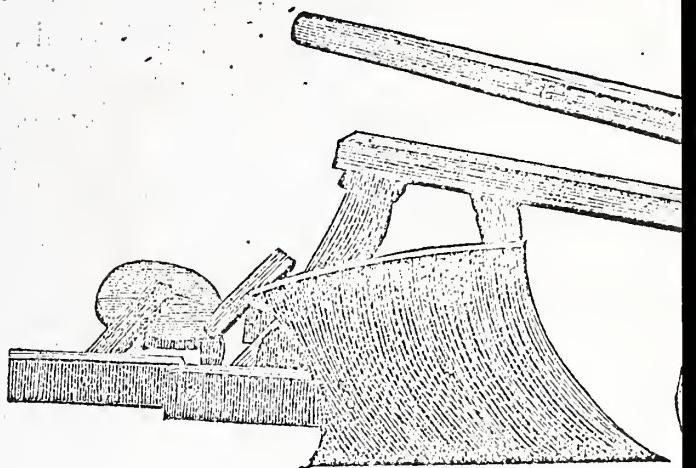
S. M. T. & CO.

CONDELL, JONES, & CO.
North West corner of the public square, Springfield,

and at their Branch Store in Decatur.

WHERE the subscribers keep on hand the lar-

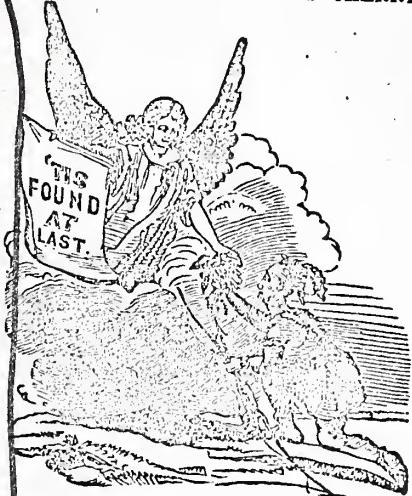
DANIEL S. STAFFORD



PRAIRIE DITCHING AND ROAD PLOUGH

ONE of the best machines of the kind ever invented. This Plough is formed to form a Ditch, and to throw up an Embankment for Lands, and to excavating in the formation of roads and canals, or other digging up an embankment for a fence row, the ditches may be cut from ten to fifteen feet deep, and three feet excavate and throw up three hundred and twenty rods per day. Any County rights, apply to Springfield, March 6, 1846.—tf

WISTAR'S BALSAM OF WILD CHERRY.



THE GREAT AMERICAN REMEDY FOR CONSUMPTION OF THE LUNGS,
Affections of the Liver, Asthma, Bronchitis, Pain or Weakness of the Breast or Lungs, Chronic Coughs, Pleurisy, Hemorrhage of the Lungs, and all the affections of the Pulmonary Organs.

NATURE'S OWN PRESCRIPTION.

A compound balsamic preparation of the Prunus Virginiana or Wild Cherry Bark, combined with the extract of pine, prepared by a new chemical process, approved and recommended by the most distinguished physicians, and universally acknowledged the most valuable medicine ever discovered.

We do not wish to trifle with the lives or health of the afflicted, and we sincerely pledge ourselves to make no assertions as to the virtues of this medicine, and to hold out no hope to suffering humanity, which facts will not warrant.

We ask the attention of the candid, to a few considerations.

Nature, in every part of her works, has left indelible marks of adoption and design.

The constitution of the animals and vegetables of the torrid, is such that they could not endure the cold of the frigid zone, and vice versa.

In regard to disease and cure, the adoption is not less striking. The moss of Iceland, the Wild

came affected. I was at least twenty physician

It was now reduced motion of the lungs was that this would termin time, was in the highe

At this critical stage, ed to Cincinnati; and that place was consulted quained with my situatiing could be done by mition itself was not suff ease.

My friends now desp I had no earthly hope to nately at this juncture pamphlets, entitled "F Treatise on Consumption often heard of dying me I felt like doing so myself physicians, I sent to you cinc described, viz: "W WILD CHERRY," whi imediately. After using far recovered as to be uccased, and my lungs res all from the healing and tressful medical virtues of

Were it not from the in my shoulder, and arm confident that I might ha trade, (which is blacksm vented.

By exposure, I have s colds, and my "only reme LAM." And I most c genuine Wistar's Balsam with colds, coughs, or I sider it an invaluable m to the world. Any pers information, may call on

CHRIST

City of

Montgomery Co., State Subscribed and sworn to the Peace, this 11th day of

EB

Testimony of three of Dayton, in confirmation

We, the undersigned, be ed with Mr. Smith, and li over him frequently during hesitate to say that the fore exaggerated statement,

In 1841 between Jan. 1841 and Aug. 1843, U.S. Post Office moves into back of 1st floor. U.S. Court moves into 2nd floor. On March 5, 1841 the Register announces the removal of S. M. Tinsley & Co. to new building. (S. M. Tinsley & Co. according to March 20, 1840 Register consisted of Tinsley, E. D. Taylor, and Wm. M. Cowgell; Tinsley & Co. was retail--Opdycke Tinsley was wholesale. March 19, 1841 Register has Shields & Conkling moving into new Tinsley Building. They continue to advertise at this location until May 19, 1843.

JAS. SHIELDS,	JAS. C. CONKLING,
SHIELDS & CONKLING, Attorneys and Counsellors at law, Springfield, Ills. Will practice in the 8th Judicial Circuit, the Supreme Court, and the district and Circuit Courts of the United States. Office in Tinsley's new building opposite the American House. March 19—1	

Register Mar. 19, 1841

Between June 15, 1843 and August 31, 1843 Logan and Lincoln move into Tinsley Building. Probably occupying the vacated Sheilds & Conkling office. April 4, 1844 Journal has E. D. Baker & Jas. H. Matheny's office on 3rd story Tinsley Building. They move into new office Dec. 1845 (another building?).

Logan & Lincoln, ATTORNEYS and Counsellors at Law, Springfield Office over the post office—third story.	
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Journal Aug. 31 1843

E. D. BAKER,	JAS. H. MATHENY.
BAKER & MATHENY, ATTORNEYS & COUNSELLORS AT LAW, Springfield Ills.—Office 3d Story, Tinsley's Brick Building.	
April 4, 1844.	

Baker & Matheny, Counsellors and Attorneys at Law. OFFICE in the North Room under the Journal Office—Springfield, Illinois.	
--	--

Journal Dec. 31, 1845

4

On Aug. 28, 1844 David Logan moves his office into 3rd story
Tinsley Building ~~over~~ Post Office moves to new location Sept. 10,
1847 (another building?).

David Logan,
Attorney & Counsellor at Law.
Office 3d story above the Post office.
August 28th 1844. 679—tf

DAVID LOGAN,
ATTORNEY & COUNSELLOR AT LAW.
(Office opposite the the "State Register" printing office.)
SPRINGFIELD, ILLINOIS.
sept. 10, 1847.

Journal Aug. 28, 1844

Register Sept. 10, 1847

Dec. 1844 Logan & Lincoln partnership ends. Logan wishes to take son David as partner. David is already in building, same floor. Lincoln takes as his partner William H. Herndon a former student in Logan & Lincoln's firm.

Feb. 1847 A. T. Bledsoe moves into office in Tinsley Building over Post Office.

ALBERT T. BLEDSOE,
ATTORNEY AT LAW.
Office over Post Office, Springfield, Ill.

Register Feb. 1847

5.

Feb. 17, 1849 Tinsley and Charles R. Hurst dissolve partnership. Hurst remains in building. On March 23, 1849 Hurst takes in E. J. Taylor as partner and firm becomes Hurst & Taylor. Tinsley moves to building in center block south side square.

July 30, 1849 A. Campbell advertises office in Tinsley Building.

Sept. 17, 1849 Tinsley moves again back to Tinsley Building to the 2nd 20 ft. front, next to Hurst & Taylor on corner.

Dissolution of Partnership.
THE Partnership heretofore existing between C. R.
Hurst & S. M. Tinsley, is dissolved by mutual
agreement. The business of the late firm of S. M. Tinsley & Co., of
Springfield, and Tinsley & Co., Beardstown, will be set-
tled by either party.

S. M. TINSLEY,
CHARLES R. HURST.

Feb. 17, 1849.
N. B. S. M. Tinsley continues the business at Beard-
stown, and C. R. Hurst, at Springfield.
March 23—4wd

COPARTNERSHIP.

THE undersigned have this day formed a partnership,
under the style of Hurst & Taylor; will keep a
hand a large and well selected stock of Dry Goods, Gro-
ceries, Hardware and Queenware, all of which they
will sell at the lowest cash prices, and hope they will
receive a call from all persons wishing to purchase good
and cheap goods.

CHARLES R. HURST,
E. J. TAYLOR.

N. B.—All kinds of produce taken in exchange for
goods.
Springfield, March 23, 1849.
H. & T.

Register Feb. 17, 1849

Register Mar. 23, 1849

Bargains!
THE following real estate situated in the city of
Springfield, is offered for sale at low prices, to wit:
A house and lot on the corner west of the Globe Hotel,
known as lot 4 in block 16. Also, five lots in E. Iles,
addition to Springfield, known as lots 11 and 12 in block
10—lots 9 and 10 in block 16, and lot 14 in block 20.
July 30 Apply to A. CAMPBELL,
diff over the Post Office.

HURST & TAYLOR, merchants, store on the
square,—on the corner of 6th and Adams streets.
This is the continuation of one of the oldest mer-
cantile establishments in this city; has always
done a heavy business, and has every appearance
of continuing to do so. Mr. Hurst is a Philadel-
phian by birth, brought up a merchant, and has
ever been a favorite with us. Mr. Taylor is a
genuine Sucker, and is among the oldest who can
boast of their birth in this city.

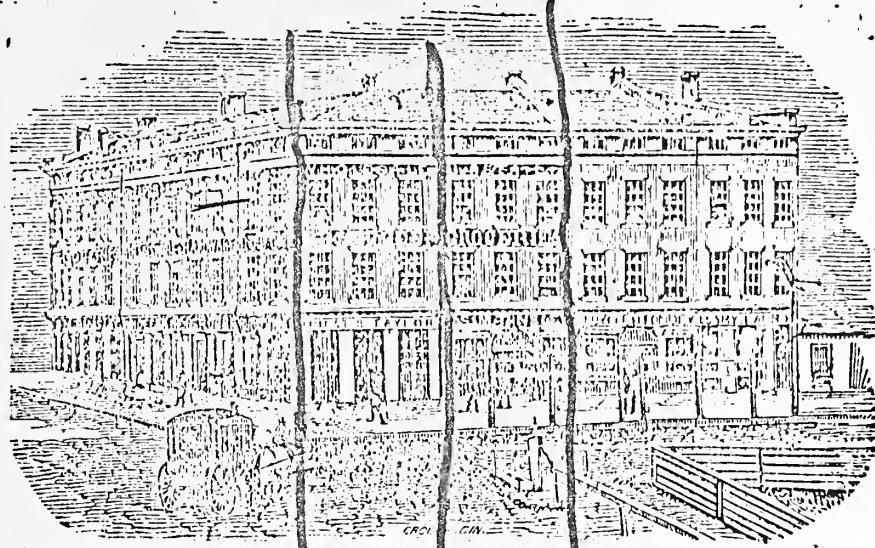
Daily Journal July 30, 1849

Journal Aug. 17, 1849

Aug. 23, 1849 Lincoln & Henrdon are still listed as in 3rd
story Tinsley over Post Office.

to Streets.
th A. LINCOLN, Attorney at law, office in the
of third story, of the Tinsley Building—go up stairs,
5, next door north of the Post Office.
— Thomas Lewis, Wil-

Daily Journal Aug. 23, 1849
Aug. 29, 1849 Weekly Journal



S. M. TINSLEY,
WHOLESALE AND RETAIL DEALER
STAPLE & FANCY DRY GOODS;

Ready-Made Clothing; Bonnets, Hats, Caps, Carpets, Boots, Shoes
Queensware, Glassware, Hardware, Groceries, &c., &c.

Stock always full, and Goods sold at the lowest value. Remember the place, No. 2 over the
door, south-east of the public square. County Produce always wanted and best prices paid at
Springfield, June 1, 1850.

1 2

Feb 17, 1849 Tinsley sells out No 1
to partner Charles Hurst who takes as
new partner E. J. Taylor and this becomes
Hurst & Taylor.

After being located for short time
in middle of block Tinsley returns to
No 2 Sept 17, 1849 and calls new
store "Tinsley's No 2".

6

Aug. 24, 1849 S. T. Logan has new office west of Hawley & Loose store. This is $1\frac{1}{2}$ blocks west of Tinsley Building. His son David had moved out of Tinsley Building in Sept. 10, 1847.

S. T. LOGAN, Esq., Attorney at Law a few doors west of Hawley & Loose's store.
I.P.E. & SON Tailors - Shoemakers - Clothiers

Daily Journal Aug. 24, 1849

Aug. 27, 1849 Wm. Pope, clerk of the U.S. District and Circuit Courts lists his office over Post Office in Tinsley Building.

Second Street, NORTH,
WM. POPE, Clerk of the U. S. District and circuit courts; office over the Post office.
J. C. PLANCK, Boot and Shoe-Maker. Mr. Planck has carried on this business longer than

Aug 27, 1849 Journal

Three Days Revolution!
S. M. TINSLEY is removing into his commodious Store Room, next to his old corner, where he will commence receiving in a few days a TREMENDOUS stock of Staple and Fancy Goods.
It will be known as No. 2, TINSLEY'S NEW STORE.
Monday, Sept. 17.

Daily Journal Sept 17, 1849

Register April 23, 1849 Tinsley sells interest in S. M. Tinsley & Co agents New Store Middle South side of Square. Then moves back in September.

Register Oct 13, 1849 Tinsley has ad for Tailoring Establishment 2nd Story of Store No 2.

Oct. 17, 1849 The P. O. is removed from building to John Williams' new building on 4th Street nearly opposite the store of Hickox Brothers.

THE DAILY JOURNAL.

The Post Office has been removed to William's new building on fourth street, nearly opposite the store of Hickox Brothers.

Journal Oct. 17, 1849 Tinsley's No. 2

Post office

S. M. TINSLEY,
WHOLESALE AND RETAIL DEALER
IN
STAPLE & FANCY DRY GOODS ;
Ready-Made Clothing ; Bonnets, Hats, Caps, Carpets, Boots, Shoes,
Queensware, Glassware, Hardware, Groceries, &c., &c.
Stock always full, and Goods sold at the lowest value. Remember the place, No. 2 over the
door, south-east of the public square. Country Produce always wanted and best prices paid at
Springfield, June 1, 1850.

Tinsley's No. 2

Daily Journal June 4, 1850

8.

May 20 ~~—~~, 1850 Wm. Peacocke moves into old P. O. room in Tinsley Building.

Entirely New Stock of Groceries,

THE Subscriber respectfully informs the inhabitants of this City and County, that he has opened an entirely NEW STOCK OF FAMILY GROCERIES, in the old Post Office room, south end of the store room of Mr. S. M. Tinsley. He is now in receipt of a full and choice selection of articles in the grocery and provision line, consisting in part of Prime New Orleans sugar; Boston shaving and castile Loaf and crushed do; soap; Prime Rio and Java coffee; Choicel selection of quenner Gunpowder and Imperial ware and glass; tea; Window glass of various sizes; Y. H. and black tea; White fish, dried herrings and codfish; Finest golden syrup do; Muscatine raisins and almonds; Carolina rice and Boston salaratus; Virginia & Missouri chewing tobacco; Cotton marilla and hemp bed cords; A splendid assortment of Powder and shot of various principio and regalia sc- sizes; "Oارد" cognac brandy; Purcussion caps and bar Strong plain do; lead; Prime Ohio whisky; Pleugh, windgaw & clothes Best W. Reserve cheese; lines; Worcester chocolate; Grain shovels and hoes; Nutmegs, cloves, cinnamon, ginger and whole pepper, mustard, &c. Superior red pepper sauce; Superior red pepper sauce; Saffron, and tallow candles; Intending always to keep supplied with superior articles, and also sell at the lowest possible price. He trusts to merit and receive a share of the public patronage.

(no. 22) WILLIAM PEACOCKE.

New Goods in New Hands.

THE undersigned, having just returned after purchasing his Spring Stock of Dry Goods and Groceries, is now receiving and opening a choice selected stock in the well known room, No. 2, South side of the Square, lately occupied by Mr. S. M. Tinsley, which he intends selling at the lowest possible price for Cash, going on the maxim of "quick sales and light profits," so that the public will find it to their advantage to call in and see for themselves that they can effect a saving of 25 per cent. on the prices they now pay. His present stock consists in part of the following, viz:

Dry Goods Department.

Bleached and brown do-	White and red flannel,
mestic,	Black silk cravats,
Calicos, ginghams and	Kosuth and Aerial ties,
lawns,	Linen & cotton table cloths,
Laces and lace edgings,	Superior Irish linens,
Mens' and Women's glove-	Parasols and umbrellas,
and hoseery,	Nanline and paper cam-
Cambrics and jaconets,	brics,
Plain and figured swiss and	Drapers and towelling,
mull muslins,	Figured and plain alpacas,
Cambric, silk and cotton	Combs, buttons and suspen-
pocket hdkfs,	ders,
Bonnets & bonnet ribbons,	Sewing silk, assorted cols.,
Mantua and cap do	Coates & Howards spool
Mens' and boys' boots and	thread,
shoes,	Spun and sewing cotton,
Womens' and childrens do.	Assorted pins and whale-
Palm leaf and silk hats,	bone,
Mens' and boys' rough and	Hools and eyes, needles,
ready hats,	etc., etc., etc.

Grocery Department.

Prime N.O. sugar, old crop.	Ground & whole cinnamon
Clarified, crushed and loaf	" " ginger,
sugar,	" " pepper,
Finest Rio and Java coffee,	Pepper sauce and cayenne
Imperial, Y. H. and black	pepper,
tea,	Nutmegs, cloves and must-
N. O. and sugar house mo-	ard,
lasses,	Horse, scrub and blacting
Virginia and Mo. chewing	brushes,
tobacco,	Window sash and glass,
Wamick & Bryan's fine cut	Gr. alum and Liverpool
tobacco,	blown salt,
Raisins, currants and al-	Hemp, manillit and cotton
monds,	bed cords,
Dorchester chocolate,	Sash cord and plough lines,
Palm, castile & rosin soap,	Grain shovels, garden hoes,
Shaving and virigated do,	Lard and corn oil,
Sperm, star and tallow can-	Percussion caps,
dles,	Bar lead,
Finest quality Indigo and	Powder and shot, various
madder,	sizes;
splendid assortment of	Churns, buckets and tubs,
principle and ragalia	Tar and tar buckets,
cigars,	Corn brooms and clothes
An extensive stock of glass	pins,
and greensware,	Horse collars, bridles and
Clarified cider vinegar,	trace chains,
Coff e mills and tea canis-	Meal and flour sifters,
ters,	Nails, of every description
Axe and axe handles,	etc., elo.

Provision Department.

Fresh lard and bacon,	Fresh butter and eggs,
Extra quality No. 1 and No.	Western reserve cheese,
2 Muckeral,	Dried apples and peaches,
Superior cod and white fish	Dried Scotch herring, etc.

To FARMERS.—It is your interest to call in as I will give you the highest market price for your produce and will sell you goods at the lowest rates.

WILLIAM PEACOCKE.

Remember the room, No. 2, South side of Square, lately occupied by Mr. S. M. Tinsley.

Register copy.

April

Journal Apr 25, 1851

11. S. M. Tinsley, and June 7, 1850, Cons. \$2000. Hannah
 Hannah, his wife Died Conveys 40 ft. by 107 ft., S. E. cor.
 To of lot Block 22, Original Town of
Philip C. Johnson, Springfield," being the same premises
which Garret Elkins & Others deeded
to Seth M. Tinsley July 7, 1840." Ack. June 8, 1850.

Recorded June 10, 1850. "E. E. 103

S. M. Tinsley sells building June 7, 1850

April 28, 1851 E. D. Taylor purchases stock of S. M. Tinsley.

This is the store Tinsley had in west half of building. Taylor is
 partner of Hurst & Taylor in corner room.

May 16, 1851 Wm. Peacocke offers for rent old P. O. room and
 2nd and 3rd story of west half of Tinsley building.

To Rent.
THE OLD POST OFFICE ROOM, to-
gether with second and third stories of No. 2, south
side of Square, lately occupied by S. M. Tinsley. Ap-
plication to WM. PEACOCKE,
april 29 at his Store.

Daily Journal May 16, 1851

REMOVED

To No. 4, West Side of Square.

THE undersigned, having just returned, after purchasing his spring stock of DRY GOODS and GROCERIES, is now receiving and opening a choice selected stock, in the well known room, No. 4, west side of the Square, (lately occupied by Snow & Keys, which he intends selling at the lowest possible price for cash, going on the maxim of "quick sales and light profits," so that the public will find it to their advantage to call in and see for themselves that they can effect a saving of 25 per cent. on the prices they now pay. His present stock consists, in part, of the following, viz:

DRY GOODS DEPARTMENT.

Bleached and brown do-	White and red flannel,
mesticas,	Black silk cravats,
Calicoes, ginghams and	Kossuth and Ariel ties,
lawns,	Linen and cotton table
Laces and lace edgings,	cloths,
Men's and women's gloves	Superior Irish linens,
and hosiery,	Parasols and umbrellas,
Cambricks and jacquets,	Nankin and paper cam-
Plain and figured Swiss	brics,
and mull muslins,	Diapers and toweling,
Cambric, silk and cotton	Fig'd and plain alpacas,
pocket handkerchiefs,	Combs, buttons and sus-
Bonnets and bonnet ribbons,	penders,
Mirlins and cap ribbons,	Sewing silk, assorted col-
Men's and boys' boots and	ors,
shoes,	Coates' & Howard's spool
Women's and children's	thread,
shoes,	Spun and sewing cotton,
Palm leaf and silk hats,	Assorted pins and whale-
Men's and boys' rough	bone,
and ready hats,	Hooks & eyes, needles, &c.

GROCERY DEPARTMENT.

Prime N. O. Sugar, old	Ground and whole cinnam-
crop,	on,
Claified, crushed and loaf	Ground and whole ginger,
sugar,	do do pepper,
Finest Rio and Java coffee,	Pepper sauce and cayenne
Imperial, Y. H. and black	pepper,
tea,	Nutmegs, cloves and
N. O. and sugar house	mustard,
molasses,	Horse, scrub and black-
Virginia and Missouri	ing brushes,
chewing tobacco,	Window sash and glass,
Wamick & Bryan's fine	Gr. alum and Liverpool
cut tobacco,	salt,
Raisins, currants and al-	Hemp, manilla and cotton
monds,	bed cords,
Dorchester chocolate,	Sash cord and plough
Palm, castile and rosin	lines,
soap,	Grain shovels and garden
Shaving and variegated	hoes,
soap,	Lard and corn oil,
Sperm, star and tallow	Percussion caps,
candles,	Bar lead,
Fines quality indigo and	Powder and shot, various
madder,	sizes,
A splendid assortment of	Churns, buckets and tubs,
principle and regalia	Tar and tar buckets,
cigars,	Corn dromis and clothes
An extensive stock glass	brushes,
and queensware,	Horse collars, bridles and
Clarified elder vinegar.	trace chains,
Collee mills and tea canis-	Meal and flour sifters,
ters,	Nails, of every descrip-
Axes and axe handles,	tion, &c., &c.

PROVISION DEPARTMENT.

Fresh lard and bacon,	Fresh butter and eggs,
Extra quality Nos. 1 and	Western reserve cheese,
2 mackerel,	Dried apples and peaches,
Superior cod and white	Dried Scotch herring,
fish,	&c.

TO FARMERS.—It is your interest to call in, as I will give you the highest market price for your produce, and will sell you goods at the lowest rates.

WILLIAM PEACOCKE.

Remember the room, No. 4, wes side of the square, lately occupied by Messrs. Snow & Keys.
June 19, 1851.

← This ad shows Peacocke has moved from Tinsley Building.

STORE ROOM FOR RENT.

THE STORE ROOM adjoining Hurst & Taylor's.—
Application on the premises, to
Aug. 8.—dvw. S. M. TINSLEY.

Register August 9, 1851

Tinsley offers for rent
store rooms vacated by
Peacocke.

IV ADVERTISEMENTS

D. PHEASANT.

J. F. PRITCHARD.

NEW FIRM:

One door West of Hurst & Taylor's—Formerly occupi-
ed by S. M. Tinsley.

WE the undersigned, having this day formed a co-partnership
in the Grocery and Staple Dry Good business generally, are
at present opening a large and well assort'd stock of grocer's,
and in a few days will have the dry good department fully sup-
plied.

We hope by strict attention to business, and by applying every
article in our line on as good terms as they can be had anywhere.
In this market, we may obtain a share of the public patronage of
our friends and the public generally, which if we obtain, no ex-
ertion on our part shall be spared to insure its continuance.

PHEASANT & PRITCHARD.
P. S.—We will take in exchange at the highest market price,
curt, oate, butter, ergo, beeswax, tallow, feathers, potatoe, dry
bides, deer skinne, fur, and in part every description of country
produce. [Feb. 24, 1852.] F. & P.

Journal Feb 24, 1852

New firm of Pheasant
& Pritchard rent from
Tinsley above.

Register
June 19, 1851

October 1, 1852 Lincoln & Herndon office over McGraw & Buchanan
store west side of square just vacated by W. I. Ferguson, attorney.
Location of Lincoln & Herndon between Aug. 23, 1849 when still in
Tinsley Building and this location not definitely known.

Wm. H. Herndon's law office is now over McGraw & Buchanan's store, where he will be found at all times. Wm. I. Ferguson has left his business in Mr. Herndon's hands. Those who had business with Mr. Ferguson, may call on Wm. Herndon and see to their business, &c. &c.

Daily Register reported Ferguson left for permanent residence in Texas Sept 25, 1852 (Reg. Sept. 27, 1852)

Register Oct 1, 1852

Lincoln & Herndon ad as partners is in Journal at this time. It would not appear they had separate offices.

DAILY REGISTER.

Yates, Smith & Co., is the name of a new firm just opened in this city, at the old stand of Pheasant & Frickard. They have purchased an immense stock, and all the goods they offer are entirely new, and consists of every variety that can be named. The main bulk of their stock has not yet arrived, but they have received samples from which all can judge of the "bill of fare." They deal in dry goods, groceries, boots and shoes, hardware, and in fact everything to be found in a variety store. Ladies throng their counters, and seem well pleased with the rich displays spread out by the entire proprietors and their handsome clerks.

We received a day or two ago a beautiful pair of drapes from Messrs. Yates & Smith's who have recently opened a splendid store in the "Tinsley building," next door to Hurst & Taylor's. Their goods are the admiration of all who have given them a

Register April 19, 1853

These two notices show Yates & Smith moving into Tinsley Building. C. M. Smith is Lincoln's brother-in-law.

Register April 1, 1853

12. Philip A. Johnson, and May 22, 1856, Conn. \$4,000
 Bettie to his wife and Warrantee Deed Conveys 40 ft.
 John Johnson front by 107 ft. deep, N. E. part of lot
 To 1, in Block 22, Old Town Plat of
 James A. Barrett. Springfield, (and other lots)
 Ack. May 22, 1856,
 Recorded June 20. 1856. "H.H. 68.

Johnson's sell building to James A. Barrett.

13. James A. Barrett & May 28, 1856, Conn. \$8000. Warrantee
 Eliza B. his wife Deed Conveys 20 ft. by 107 ft. being
 To part of lot 1 in Block 22 in the Old
 Charles W. Mathey Town, (now City) of Springfield Ills,
 Convey at the S.E. cor. of said lot, and
 running thence N. 20 ft. thence S. 107 ft. thence E. 20 ft. thence
 S. 107 ft. to the place of begⁿ. being the corner store house
 now occupied by Charles B. Hurst as a dry goods store.
 Ack. May 29, 1856, Recorded July 19, 1856, "H.H." 238.

Barrett sells east half of building.
 A complete text of this deed records that
 Yates Smith occupying building next door
 west and back of building which had been
 Post office until Oct. 1849.

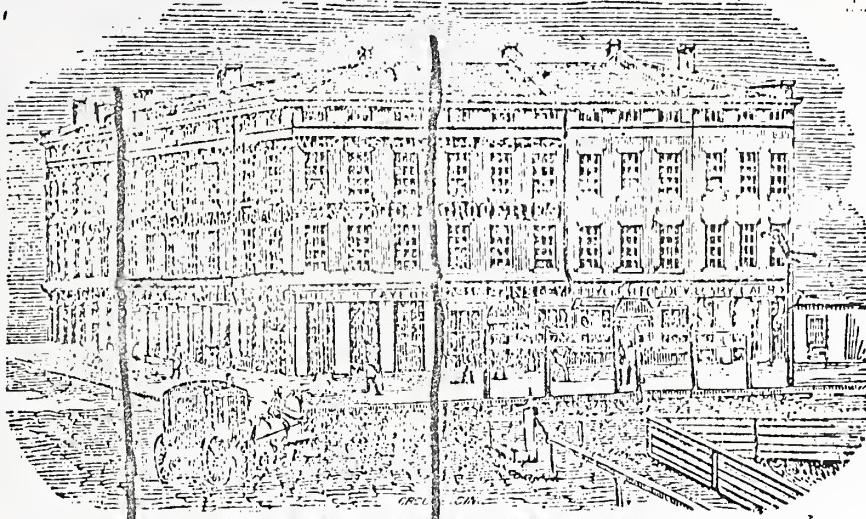
April 7, 1853 American Express Co. with S. M. Tinsley as agent is over Hurst & Taylor (corner store) whether 2nd or 3rd floor not known.

Aug. 17, 1855 A. C. Dickson, U.S. Marshall, announces renting of 2nd floor of Logan Building thus moving the federal courts out of Tinsley Building.

U. S. Court—Southern District.
A. C. DICKSON, Esq., Marshal of the Southern Court, informs us that he has just received a letter from the Secretary of the Interior authorizing him to rent for that Court the 2d story of the new buildings belonging to LOGAN, now being erected on the north corner of the Square. The location is an excellent one, and the rooms will be fitted up in a style.
The first term of the U. S. Court for this year, will be held on the first Monday in October. A large number of cases have been heard by consent from Judge Drummond's which with the number already docketed makes a three or four weeks' session of the

Journal Aug. 17, 1855

Feb. 1858 Hurst & Matheny form partnership. Matheny owns building Hurst has had ~~tore there~~ for many years. The firm becomes Matheny & Co.



S. M. TINSLEY,
WHOLESALE AND RETAIL DEALER
^{IN}
STAPLE & FANCY DRY GOODS;

Ready-Made Clothing; Bonnets, Hats, Caps, Carpets, Boots, Shoes,
Queensware, Glassware, Hardware, Groceries, &c., &c.

Stock always full, and Goods sold at the lowest value. Remember the place, No. 2 over the
door, south-east of the public square. Country Produce always wanted and best prices paid at
Springfield, June 1, 1850.

Tinsley's No. 2.

1st floor of this part was S. M.
Tinsley & Co from Mar 5, 1841 until Mar.
23, 1849, when it became Hurst & Taylor.
In Feb 1858 Hurst take us partner
Matheny owner of building and business
becomes Matheny & Co. In 1868 John
Brewer a member of firm Matheny & Co
takes over and name changed to John
Brewer & Co. In 1882 Brewer moved
to new building and Farmers National Bank
moved and occupied until 1914.

1868-1875 Matheny & McGuire, lawyers, have office in building.

1866 J. H. Matheny & Whitehurst, lawyers, have office in building.

Building by now is known as Matheny building.

1868 John Bressmer takes over store of Matheny & Co.

From 1882 until 1914 the Farmers National Bank occupied first floor.

Farmers Bank organized in office of Isaac Keys
May 2, 1882. (See Journal May 3, 1882.)

1882-1886 Bluford Wilson & Frank H. Jones, attorneys, have office in building.

1882 Frank Burnett attorney in building.

1894 R. H. McAnulty attorney in building

Nov. 1872 C. M. Smith & Co. move into their new building.

Smith had acquired the west half of the Tinsley Building, as well as the next two 20' fronts making a total of three 20foot fronts.

All were torn down and a new three-story building erected.

C. M. SMITH & CO.,

are proprietors of one of the most extensive dry goods establishment in the West. Both members of the firm—C. M. Smith, Esq.; and J. S. Condell, Esq.—have long been engaged in the mercantile business in this city, and are well and favorable known to purchasers of goods in the country. Mr. Smith was formerly of the old and reliable firm of Yates & Smith, and Mr. Condell, of the firm of Condell, Jones & Co., of this place. Mr. Smith has also branch stores in Bloomington and Jacksonville. The firm has just taken possession of a splendid and spacious new store, on the south side of the square. This store has been built upon the site of the old stand, and no expense has been spared in fitting up the establishment with all the modern improvements, and it compares favorably with the best buildings, of its kind, in the West. This extension of their borders became necessary, owing to their increasing trade. Connected with this establishment is a large boot and shoe department in the building fronting on Sixth street, and opens into the main building.

Journal Jan 1, 1873

SIGNS OF PROGRESS.—Notwithstanding the intense cold of the winter, thus far, it is most gratifying to know that it has not frozen up the energies of our business men, but that they have carried forward their various enterprises with great energy. Among this number is C. M. Smith, Esq., one of our most prominent merchants, who has, the present winter, erected one of the largest, and most beautiful business blocks in the city. This structure contains three large, and elegant stores fitted up with all the modern conveniences, and in the highest style of the art. To say that the block is an honor to the city and creditable to Mr. Smith, the proprietor, would be only saying what everybody admits.

The firm of Smith & Co., dry goods dealers, occupy the largest room in the building, which has been fitted up in elegant style. T. S. Little, Esq., the enterprising dealer in clothing, has just moved his fine stock of goods into the spacious store room adjoining that of the above named firm. Owing to the rapid increase of Mr. Little's business, better and larger accommodations were required, and he was fortunate in securing the now and elegant store room in "Smith's Block." We wish him success in his new place of business. The adjoining room, when completed, will be occupied by the firm of Roberts Brothers, who are now doing business on South Sixth street.

C. M. SMITH & CO.

This firm are the proprietors of one of the oldest and most extensive dry goods establishments in Illinois, outside of Chicago. The firm is composed of C. M. Smith and John S. Condell, both veterans in the purchase and sale of goods in all departments of trade. Mr. Smith, the senior member of the firm, came to this State as early as 1835, and with characteristic enterprise commenced business at Carrollton, Greene county, about 1837, and continued there until 1852, when he removed to this place and became a member of the firm of Yates, Smith & Bro. This firm continued in trade for several years, after which the business passed into the hands of Mr. Smith, who by energy and enterprise built up a very large trade. During this time he had branch stores in Bloomington and Jacksonville. Besides attending to mercantile affairs, he has taken a deep interest in all matters that would benefit the city. He has been for several years the President of the Hannibal & Naples Railroad, and is also one of the Directors of the Toledo, Wabash & Western road. Mr. Condell, well-known in the dry goods trade, commenced selling goods in this city in 1840. He was for a long time a member of the popular firm of Condell, Jones & Co., and established a large and lucrative trade. The present firm was formed in 1866, since which time the business has rapidly increased, and to such an extent, that the old quarters were too confined, and a new building became necessary. Mr. Smith, the owner of the property, pulled down the old pine building and erected a fine brick block, containing three of the largest and handsomest stores in the city, one of which the firm occupy. This firm do a very large business in dry goods and boots and shoes. The stock, which is purchased strictly for cash, consists of all descriptions of goods, among which may be found rare and rich silks, dress goods in great variety and fashionable styles, beautiful embroideries, laces and white goods; also velvets, cashmeres and reps. The stock of staple woolen and cotton goods is also large and inviting. The firm deal largely in boots and shoes of all kinds, and are agents for the Harsford boots and Reynolds' celebrated shoes. Purchasers are invited to examine goods, as prices are as low as the lowest in the market.

Journal Jan 1, 1875

Journal Feb 2, 1873

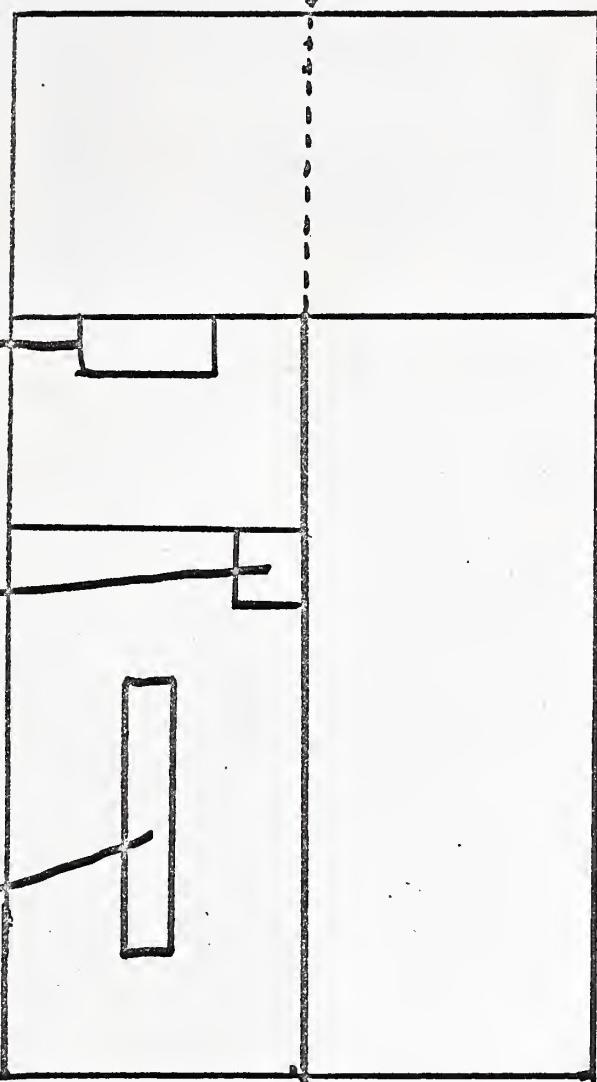


A.

1. 2. 3.

In 1871 C. M. Smith worked the west
 half of the Tinsley building and also the next
 two store buildings and built "Smith's Block".
 In the new building No 1 was occupied by
 Roberts & Co, No 2 by T. S. Little and No 3 by
 C. M. Smith & Co. The original old Post Office
 room (marked A) is Tinsley building which front
 on 6th St was connected to the back of
 Smith's new store. He continued to occupy
 this as he had for years.

new wall put in ~ 1872
when C. M. Smith wrecked
west half of building.



Old wall
for back of
building

Old wall
for front of
building.

open space
between 1st and
2nd floor

Reg. May 5, 1872

C. M. Smith acquire property next
of store formerly 1 Butler Bros. will
remodel.

Journal Nov 13, 1872

C. M. Smith & Co have removed to
their new store No 8 "Smith Building")
South side of Square and connecting
with No 1 South 6th street.

Reg. Nov 1, 1872

C. M. Smith has moved into
new Building.

W. H. Tolley over Farmers Bank.

R. M. J. Cook " " "

C. P. Kane " " "

S. D. Schools " " " "

1884 Directory

Bartenders in 13 building

J. W. Gottswood Aug 1841 - Nov 1844
Jonathan R. Diller 1844 - 1849

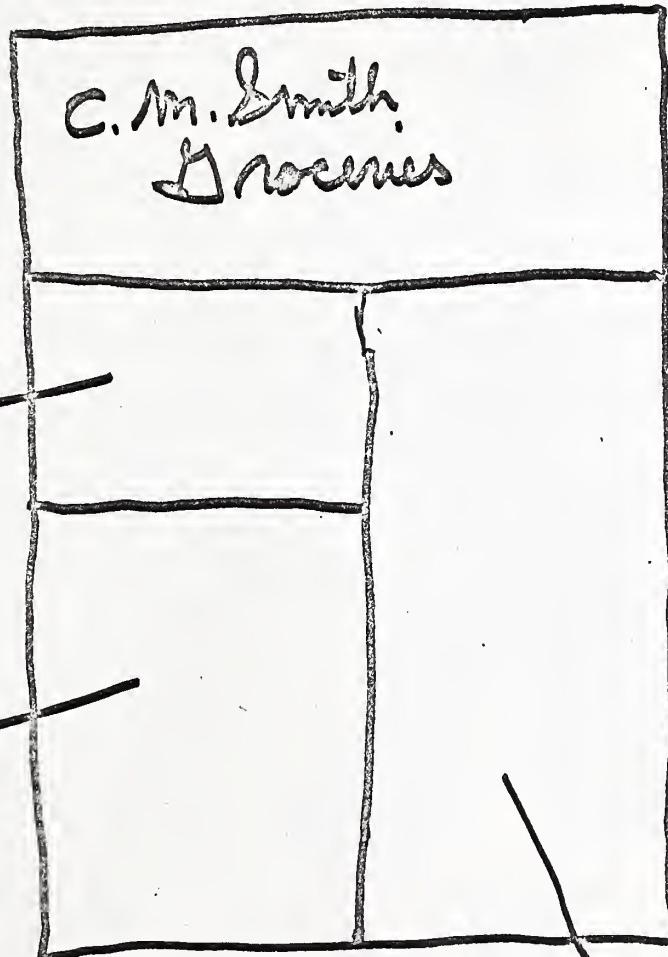
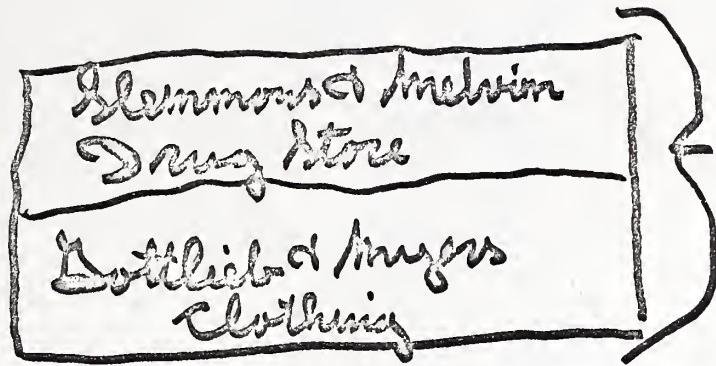
Bluford Wilson Frank H Jones

Attorneys Room 182 James, Natl 13 and 13 Building
According to May 3, 1882 Journal
Same according to 1884 & 1886 Directory.

Frank Bennett Attorney
office over James Natl. 13 Bank
May 1882 Journal.

R. H. McMurtry Attorney
Office over James Natl. Bank
April 1894 Journal

C. M. Smith & Co Grocerie 211 S 6th
According to Dutton. Ill See Manual 877.7



Matheny
Dry Goods.

C.M. Smith
Dry Goods.

Triff Rafe Book
Board of Fire Underwriters
Aug. 2d October 1866

Dear Gerald:

For times sake I have
Made changes - Manuscript in this
fashion. I think you should credit
Woodcut of Tinsley Building from
Illinoian State Journal June 1, 1850. I copied
from Job Printing book since it
was smaller to handle than bound
volume of newspaper. If further
question do write as I want to
help as much as possible.

Sincerely
Jim

Page 1

The law firm of Hogan & Lincoln
was first located on the east side of
North 5th street less than 1/3 block from
the Square. The present walk up teller
windows of the Illinois National Bank are
on site. It was also directly across
the street (5th) from the location of
Stuart & Lincoln law office.

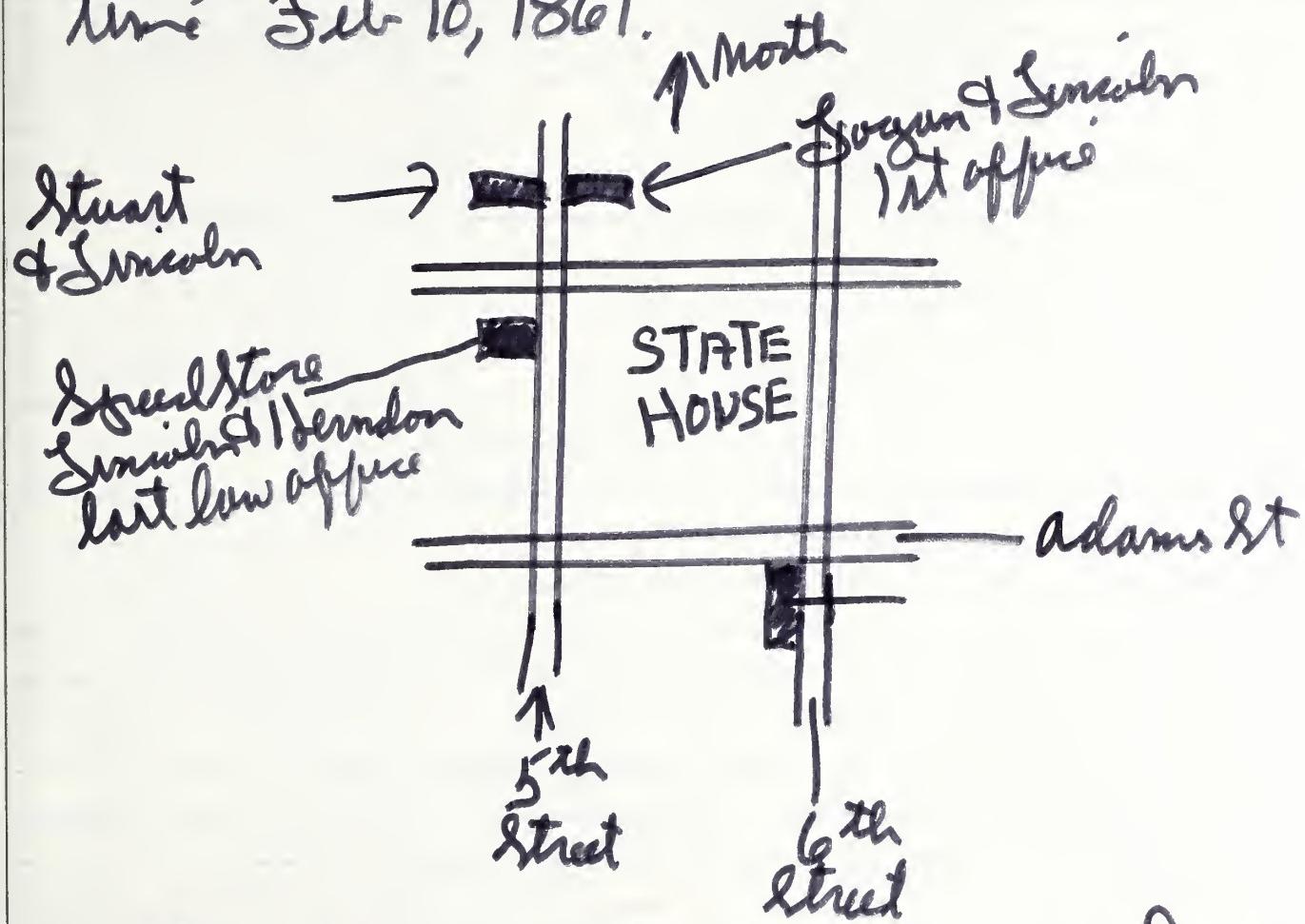
I can not document the location in
the Tinsley Building after August 23, 1849
because there is missing several months
of the Illinois State Journal which would
have shown a change in their business
card. I believe they stayed in Tinsley
Building until ~~about~~ October 1852.

I have also not been able to locate
the site of McGraw & Buchanan Store
on west side of Square.

(over)

I think it was the same site as
Lincoln's last office. As there is no
tradition that Lincoln was ever in
any other location on west side of
Square. But I can not prove it.

If 2 am correct that McDraw & Buchanan store was in the old Speed store then Simich was in his last office which he visited the last time Feb 10, 1861.



Speed was the partner in James Bell & Co. Charles R. Turst purchased Speed's share ~ 1841. Turst later became partner of Hinsley
(over)

The Speed store on first floor
was same building & when Speed
and Lincoln had room front Second
floor and Lincoln & Herndon office
back room Second floor. This building
was the second 30 foot front from
the corner. Today there are two
markers on the Myers Brothers store
which give impression that Speed's
store was next to building in
which Lincoln & Herndon had
office but they were same building.

The Publication That Brings You...Illinois



East Peoria, Illinois

Wednesday

Dear Mr. Mc Murtry,

Your pictures are on their
way → under separate cover ...
Keep them as long as you need
them → no hurry - have duplicates.

If you plan to reduce
greatly the "floor plan drawing"
the screen may fill in ... However,
if you will let me know I will
make one for you → without
screen, which could be more
easily reduced to a small size
and remain legible. (No charge)

(2)

Best wishes on your
forthcoming article.

Sincerely,
Richard Phillips



Lincoln Lore

Bulletin of The Lincoln National Life Foundation . . . Dr. R. Gerald McMurtry, Editor
Published each month by The Lincoln National Life Insurance Company, Fort Wayne, Indiana

Number 1579

FORT WAYNE, INDIANA

September, 1969

Lincoln's Law Offices In The Tinsley Building 1843 – 1852

Editor's Note: In the preparation of this article I have relied heavily on the work of James T. Hickey, the curator of the Lincoln collection of the Illinois State Historical Library of Springfield. His research notes have proved invaluable in attempting to work out the complicated history of the Tinsley Building.

Likewise, the editor is indebted to Richard M. Phillips, the editor of *Iliniwek*, whose article "Prairie Lawyer" appeared in the May-June 1969 issue. His concise account of the three Lincoln law partnerships, the different office locations by the use of floor plans and maps and the excellent photographs with which he illustrated his article have made my task much easier in attempting to present an accurate account of the historic building.

The editor also found James E. Meyer's article "Springfield The Town That Remembers Lincoln" that was published by the *Chicago Tribune Sunday Magazine* on December 15, 1968, most helpful in describing the furnishings and contents of the restored building.

R. G. M.

In the summer months of 1843 the law firm of Stephen T. Logan and Abraham Lincoln moved to a large office on the third floor of the Tinsley Building at Sixth and Adams Streets. Their original location had been on the east side of North Fifth Street less than one-half of a block from the Square. The present walk-up teller's windows of the Illinois National Bank mark the site. This original office was also directly across Fifth Street

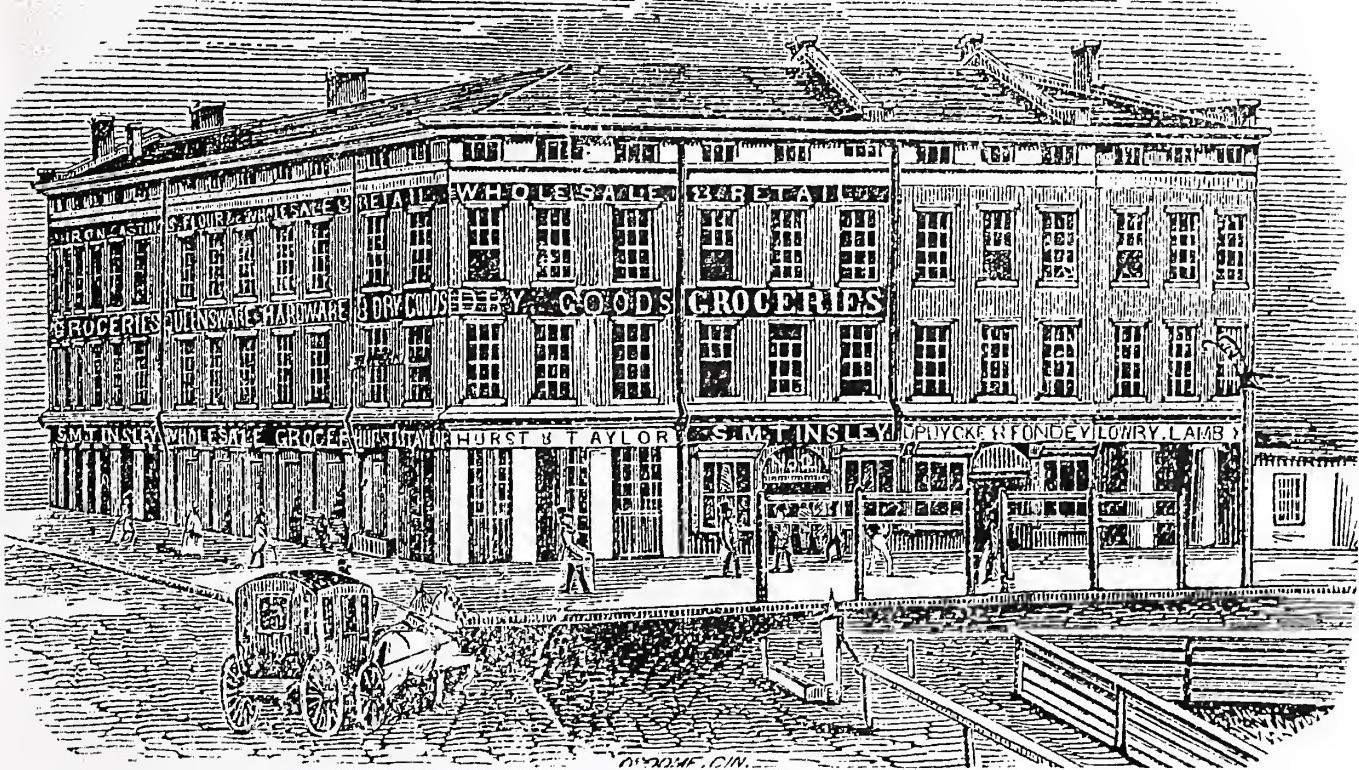
from the location of the former Stuart and Lincoln law office. In the Tinsley Building they probably occupied the vacated Shields and Conkling office. Although directly over the United States District and Circuit Court Room on the second floor, their advertising card in the local papers stated they were over the post office which was located on the first floor. The Tinsley Building at this time was only about three years old and was considered a show place in Springfield.

The firm's new location was announced by the following business card which appeared in the *Sangamo Journal* of July 27, 1843:

Logan & Lincoln
Attorneys and Councillors at Law, Springfield
— Office over the Post Office — third story

This law-partnership, originating in 1841, was short lived because Logan wished to form an association with his son, David. In December 1844 Logan moved to a smaller office on the third floor of the Tinsley Building, in order to practice law with his son.

Lincoln remained in the large front office, taking into



From The Illinois State Historical Library

The Tinsley Building (Circa 1850) taken from a woodcut which appeared in the *Illinois State Journal* of June 1, 1850.



From Iliniwek, May-June, 1969

The restored Tinsley Building located on the southwest corner of Fifth and Adams Streets. Here on the third floor was Lincoln's law office from 1843 to 1852.

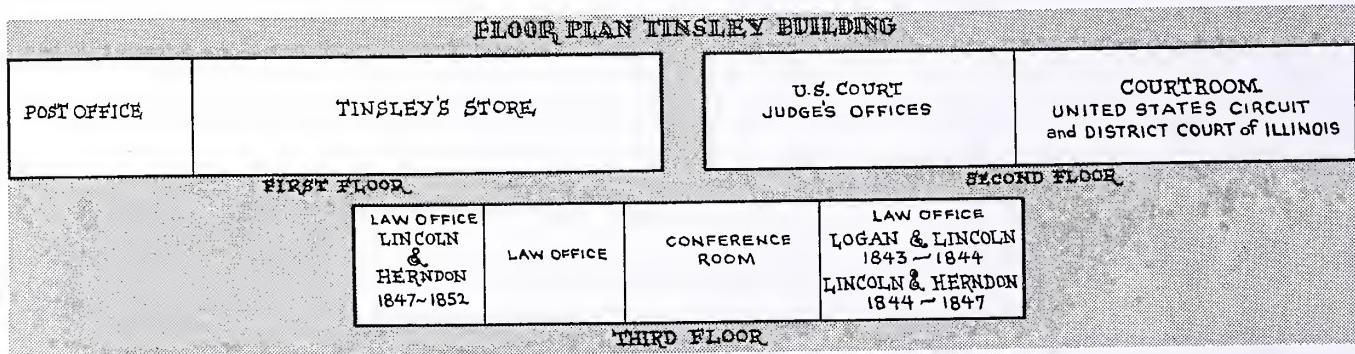
partnership William H. Herndon, a young man nine years his junior, who had just received his license to practice. Herndon had been a law student in the Logan & Herndon office. "Billy" as Lincoln always called him stayed in Springfield and took care of the office while Lincoln toured the circuit. This arrangement was ideal, and the two lawyers worked well together. During the ensuing years Lincoln was also active in politics, and on August 3, 1846 he was elected to Congress. He rode the circuit, however, until the middle of October 1847, when he made preparations to travel to Washington, D.C. to serve his one term in Congress.

Since Lincoln's absence from an active law practice would curtail the firm's income, their office was moved from the large front area of the third floor of the Tinsley Building to a small office at the rear of the third floor, which had once been occupied by Logan and his son David. Their business card appeared as follows in the local papers:

Abraham Lincoln W. H. Herndon
Lincoln & Herndon, Attorneys and
Councillors at Law, will practice in the Courts
of Law and Chancery in the State Dec. 1847

When one attempts to define the precise location of the Lincoln-Herndon law office during the entire period of the firm's existence, there is some confusion. This is due to the fact that several months' issues of the *Illinois State Journal* are missing which would have shown a change, if they had moved, in their business card. While it is impossible to document their location in the Tinsley Building after August 23, 1849 it is generally believed that they remained there until October 1852. By October 1, 1852 their office was over the McGraw & Buchanan store on the west side of the Square, in the very same back room on the second floor vacated by W. I. Ferguson, Attorney. The *Illinois State Register*, September 25th and 27th, 1852 reported that Ferguson left Springfield for permanent residence in Texas.

Today it is difficult to locate the site of the McGraw



From Iliniwek, May-June, 1969

Floor plan of the Tinsley Building drawn by Richard M. Phillips, editor of *Iliniwek*.

& Buchanan store on the west side of the Square. Perhaps it was in the same building as Lincoln's last (Fifth Street) law office, as there is no tradition that Lincoln was ever in any other location on the west side of the Square.

If the assumption is correct that the McGraw & Buchanan store was in the same building as the "Old Speed Store" then Lincoln was in the same building which he had entered on April 15, 1837 when he was about to begin the practice of law with John T. Stuart. Joshua Fry Speed was the partner in the James Bell & Company store located on the first floor of the building and Lincoln occupied a room with Speed on the front second floor. The Lincoln & Herndon law office was in a back room of the same second floor.

Today there are two markers on the Myers Brothers Store which gives the impression that Speed's store was next to the building in which Lincoln & Herndon had their law office. However, they were in the same building.

Lincoln is reported to have visited his Fifth Street law office for the last time on February 10, 1861. According to Herndon (Herndon & Weik, 1892 ed., II, 192-94) the President-elect made "the strange request that the sign-board which swung on its rusty hinges at the foot of the stairway should remain. 'Let it hang there undisturbed,' he said, with a significant lowering of his voice."

A sign hangs at the foot of the Tinsley Building stairway today bearing the words "Law Office — Abraham Lincoln & William H. Herndon." It is there because the building has been restored just as it was in 1843, when Lincoln moved into the top floor, front office. The original walls, floors, ceiling still stand; only the furnishings have been added.

The exterior walls of the second and third floors have been sand-blasted to restore the bricks' original color and texture so that the building appears today as if it were new. The first floor has been largely rebuilt, using 125 year old brick to match the floors above. An attractive store with 19th century fixtures occupies a portion of the first floor. Also, an old reconstructed post office adds to the attractiveness of the interior of the first floor.

The purchase and restoration of the Tinsley Building was instituted by enterprising Springfield citizens who were eager to add another historical facet to their city's

splendid heritage. The restoration project was a difficult historical problem; however, with the expert knowledge of James T. Hickey, the curator of the Lincoln Collection of the Illinois State Historical Library, the project was undertaken.

Hickey made a detailed study of all the original deeds to the property, as well as the mercantile and professional advertisements in the local papers in order to determine the many occupants of the building from the date of its construction in 1840 to the present day. A comprehensive study of the history of the building was the result of this project.

Exciting discoveries were also made of old letters, newspapers of the 1840s, account books, journals, Federal Court documents, documents of the U.S. Provost Marshal during the Civil War, business catalogues, almanacs, land records when John Taylor (S. M. Tinsley's father-in-law) was receiver of the land office in Springfield, Lincoln items and other memorabilia under the attic floor (over the Lincoln-Herndon Offices) of the building. Around the turn of the century six wagonloads of old paper were hauled away from the attic or fourth floor of the building and burned. This was done by S. J. Hanes, and his son, Murray S. Hanes, witnessed the event.

The architectural design of the restored Tinsley Building is more "prairie classic" than Georgian, and its furnishing are almost stark in their simplicity. Lincoln's offices, "with layers of dust" and papers scattered about, gives the appearance of "general dishevelment that indicated the active law practice he had." The over-all appearance of the building's interior, which includes offices other than Lincoln's, and the Federal Court room, is one of disorder. According to the *Chicago Tribune Magazine*, December 15, 1968:

"Notices of sales, political rallies, bankruptcies were tacked to the walls. Boxes for wood stood about. Sandfilled boxes for spittoons were as often missed as hit. The place jumped with legal, political and social activity."

It has been the aim of the promoters to make the law offices and courts "seem as if they were still in use." The desired historical atmosphere has been achieved with the attic papers (worth thousands of dollars) scattered through the desks and on the tables and chairs.

This new Springfield shrine is open to the public



From Illinois, May-June, 1969

Lincoln's law office, third floor (front) of Tinsley Building. Occupied by Logan & Lincoln 1843-1844, and Lincoln & Herndon 1844-1847.

with a sight and sound program, with personnel to answer questions, with a museum of documents and with elevator service available in an adjoining building. It requires some thirty minutes to make the tour and one should allow more time if possible because it is well worth all the time you can devote to it. Adults are charged 50¢, children 25¢ and families may enter upon payment of \$1.25.

What would S. M. Tinsley think of his building today? Certainly he would be pleased with the restoration. There is no photograph of Tinsley and his is a sad story. He was born in Virginia. He married Hannah Taylor in 1833, and they had eleven children. The next year following his marriage he formed a business partnership with his father-in-law, John Taylor, which lasted until 1837.

The E. D. Taylor who became his partner in 1841 was not a blood relative of his father-in-law but became a relative when he married Margaret Taylor, Mrs. Tinsley's sister. Charles R. Hurst who was also a business partner of Tinsley, married Ann Taylor, another sister of Mrs. Tinsley. Hurst got into business first by buying out Joshua F. Speed when he returned to Kentucky.

S. M. Tinsley at one time had a fine home and had erected a large Metropolitan Hall. He was a director of Mechanics & Farmers Bank in 1852, opened a large lumber yard in 1856 and a large flour mill in 1859; but after that it is apparent that he ran into personal and financial trouble.

His wife died February 23, 1867, at age 56, and her funeral was held at St. Paul's. Tinsley seems to have then closed or lost his home, because on March 25, 1868, when a fire destroyed the Metropolitan Hall which he no longer owned and which had been converted into a mill, the *Illinois State Register* reported that Mr. Tinsley, the former owner, had a sleeping room in the building and nearly lost his life in the fire.

The next year (1869) Tinsley died at 62 years of age and was buried in the Hutchinson Cemetery, but his remains were moved to the Oak Ridge Cemetery in November 1870 and buried in an unmarked grave in the lot of his brother-in-law, E. D. Taylor. Tinsley left no estate to probate, and none of his eleven children seem to have resided in Springfield at the time of his death.

Is it not ironic that the restored structure on Sixth and Adams Streets is to be called The Lincoln-Herndon Building? Would not the name Tinsley Building, with its sign of "Lincoln & Herndon" swinging on its rusty hinges (they will get rusty) at the doorway on Sixth Street be more appropriate?

History of The Tinsley Building

July 7, 1840

S. M. Tinsley bought a lot (Sixth at Adams) from Garrett Elkin, Thomas & Isaac Constant and William F. Elkin. Building may have been under construction.

December 25, 1840

First part of building occupied.

January 27, 1841

A notice in *Journal* stated that an art exhibit by Wilkins & Stevenson would be held in the building.

March 5, 1841

S. M. Tinsley & Co. (S. M. Tinsley, Wm. M. Cowgell and E. D. Taylor) removed their entire stock of goods to the new four story brick building, on the southeast corner of the public square, directly opposite the American House. (*Register* March 5, 1841) S. M. Tinsley & Company were retail merchants, Opdycke, Tinsley & Company were in the wholesale business.

1841

Between January 1841 and August 1843, the U. S. Post Office occupied the back of the first floor. U.S. Court moved to the second floor.

March 19, 1841

The *Register* reported that Shields & Conkling had moved into the new Tinsley Building. They continued to advertise at this location until May 19, 1843.

July 28, 1842

Journal carried advertisement of S. M. Tinsley offering the store room for rent recently occupied by Opdycke, Tinsley & Co.

1843

Between June 15, 1843 and August 31, 1843 Logan and

Lincoln moved into Tinsley Building, probably occupying the vacated Shields & Conkling office.

April 4, 1844

The *Journal* reported that E. D. Baker and James H. Matheny had an office on the third floor. They vacated the office in December, 1845.

August 28, 1844

David Logan moved his office to the third floor over the post office. He moved to a new location on September 10, 1847.

December, 1844

Logan & Lincoln partnership ended. Logan wished to take son David as partner. David was already in the building on the same floor. Lincoln took as his partner William H. Herndon, a former student in the Logan & Lincoln firm.

February, 1847

A. T. Bledsoe moved into office over the post office.

February 17, 1849

Tinsley and Charles R. Hurst dissolved partnership. Hurst remained in building.

March 23, 1849

Hurst took in E. J. Taylor as partner, and firm became Hurst & Taylor. Tinsley moved to building in center block on south side of square.

July 30, 1849

A. Campbell advertised office in Tinsley Building.

September 17, 1849

Tinsley moved back to Tinsley Building to the 2nd 20 foot front, next to Hurst & Taylor on corner. He called his new store "Tinsley's No. 2."

August 23, and 29, 1849

According to *Daily Journal* and *Weekly Journal* Lincoln & Herndon were still listed on the third story over the post office.

August 24, 1849

S. T. Logan had new office west of Hawley & Loose store. This was one and one-half blocks west of Tinsley Building.

August 27, 1849

Daily Journal carried statement that William Pope, Clerk of the United States District and Circuit Courts had office over post office in the Tinsley Building.

October 13, 1849

Advertisement in *Register* carried announcement that Tinsley had a tailoring establishment on the second floor of Store No. 2.

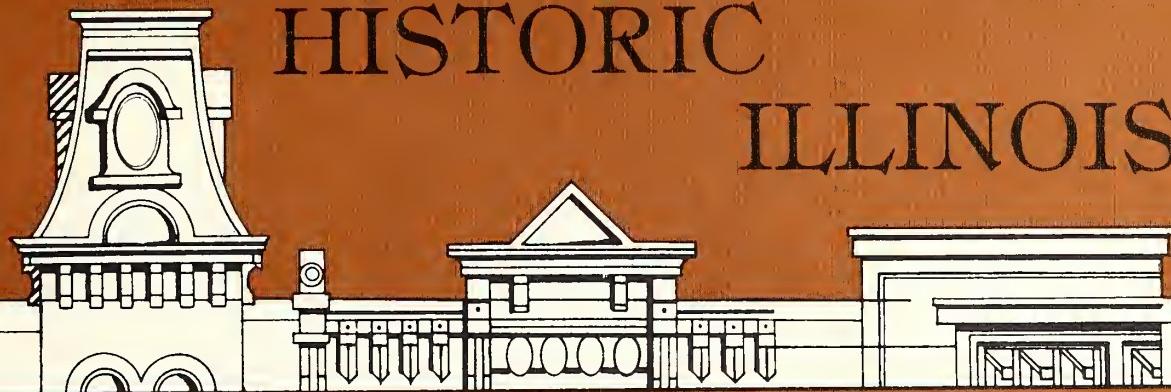
(To be continued in the October issue)



From Iliniwek, May-June, 1969

Small office on the third floor of the Tinsley Building (rear) occupied by Lincoln & Herndon, 1847-1852.

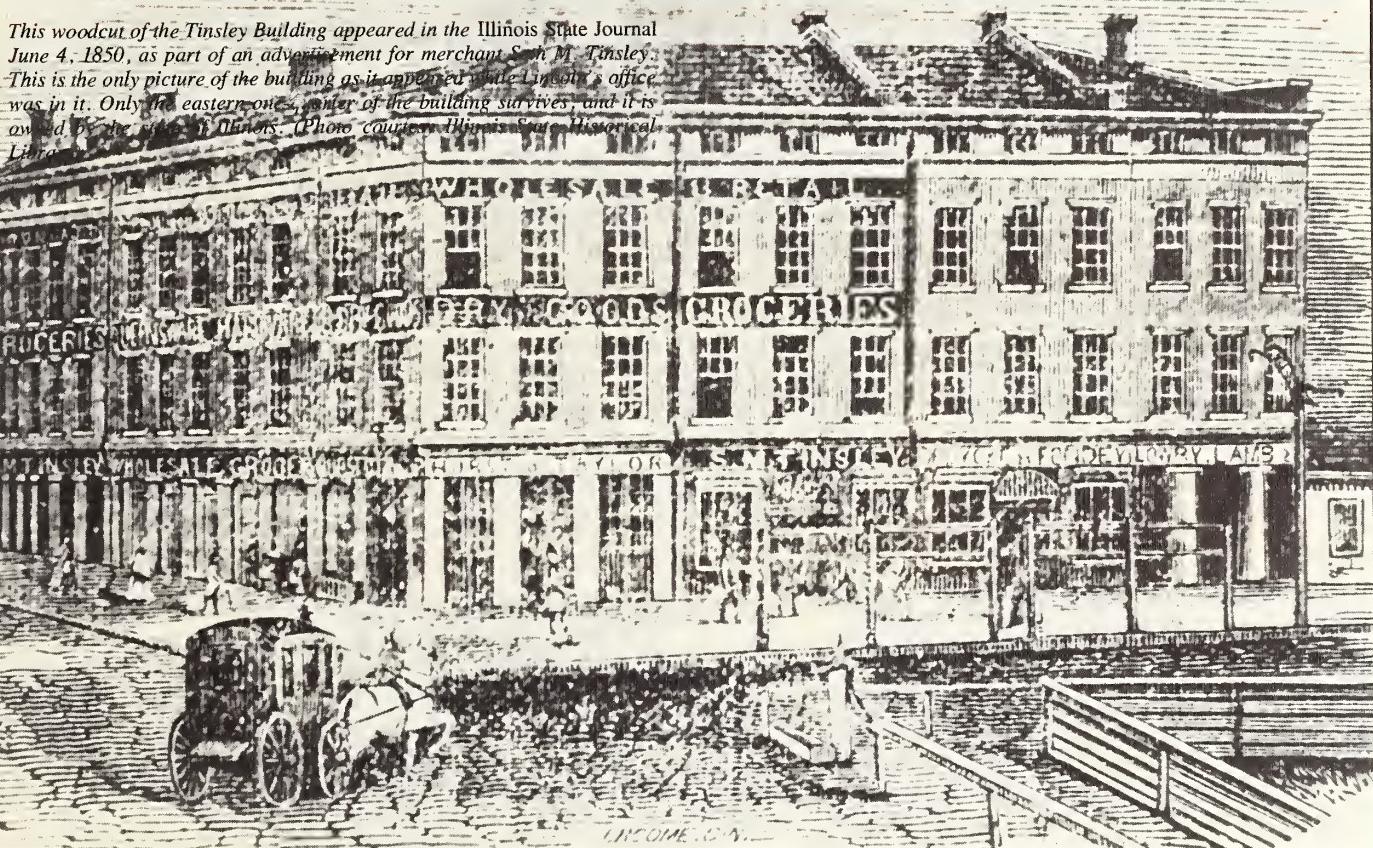
HISTORIC ILLINOIS



ILLINOIS HISTORIC PRESERVATION AGENCY
DIVISION OF PRESERVATION SERVICES

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This woodcut of the Tinsley Building appeared in the Illinois State Journal June 4, 1850, as part of an advertisement for merchant Seth M. Tinsley. This is the only picture of the building as it appeared while Lincoln's office was in it. Only the eastern one-quarter of the building survives, and it is owned by the state of Illinois. (Photo courtesy Illinois State Historical Library.)



Springfield Building Recalls Lincoln's Legal Career

Lincoln-Herndon Law Offices

The state's newest historic site—the Lincoln-Herndon Law Offices—is the only surviving building in which Abraham Lincoln maintained a law office. Reopened to the public in February, the site provides a glimpse of lawyer Lincoln and the legal world of which he was part.

The structure that houses the noted law office was built on the south side of Springfield's square in 1840–41. Its erection was part of a construction boom that followed the city's selection as Illinois' new capitol. Seth M. Tinsley, a leading central Illinois merchant, was the owner of what was considered the area's grandest merchant's block. Though built for commercial space, Tinsley rented most of the building to other concerns. The third

floor was let to various legal firms and the second floor rented to the federal government for use as the federal courthouse. A portion of the first floor was a U.S. post office.

Abraham Lincoln first established an office in the Tinsley Building with senior partner Stephen T. Logan in the summer of 1843. Lincoln was responsible for the routine work, though he argued some important cases. In December 1844 Logan and Lincoln amicably dissolved the firm. Though the partnership lasted only three years, it was important to Lincoln. Logan was known as an exacting master who, in the words of scholar John Duff, "contributed more [than anyone] toward bringing Lincoln's natural gifts as a lawyer to the fullest fruition."

(continued on page 2)



Lincoln-Herndon Law Offices State Historic Site, 1986. Abraham Lincoln and two of his three law partners rented space on the third floor of this building for at least six years (1843-1849) and probably until 1852. (Photo courtesy Illinois State Historical Library)

a part of Springfield's upper crust. Herndon, on the other hand, ran with the "shrewd, wild boys around town." Perhaps because of those differences, the partnership flourished, and Lincoln and Herndon became one of Springfield's leading law firms.

Lincoln and Herndon used the office for about three years. It was a most desirable location for a law office, especially when the senior partner had congressional ambitions. Located just across Adams Street was the state house, the center of political activity in the state. Across the street to the east was the American House, Springfield's elite hotel and stopping place for visiting dignitaries. Even within the Tinsley Building there were important connections. Some of the city's leading attorneys and political personalities occupied offices down the hall from Lincoln and Herndon.

Lincoln left the office routine to Herndon. He remained in Springfield while Lincoln was absent from Springfield three to six months of the year riding the Eighth Judicial Circuit. Even when the courts were not in session Herndon ran the office. Gibson Harris, who clerked with Lincoln and Herndon from 1845 to 1847 recalled that, "a likely place to find him [Lincoln] was some street corner, there discussing with others at their ease the topics of the

Lincoln-Herndon Law Offices

(continued from page 1)

With the dissolution of their partnership, Logan moved into another Tinsley Building office, leaving the old stand to Lincoln and his new junior partner, William Herndon. The two had known each other for some time, and Herndon had studied in the office

of Logan and Lincoln. How Lincoln came to choose Herndon is not known—they were different as night and day. While Lincoln was known to be somewhat deliberate, Herndon was impetuous. In spite of his humble beginnings, Lincoln was considered



Far left: The earliest known photo of Lincoln, this portrait was taken while Lincoln occupied a Tinsley Building law office. This photograph, taken from a daguerreotype made in 1846, was made following Lincoln's election to Congress. (Photo courtesy Illinois State Historical Library) Left: William Herndon, nine years Lincoln's junior, was Lincoln's law partner from 1845 until Lincoln's death. Herndon managed their offices, located across the street from the Illinois state house. (Photo courtesy Illinois State Historical Library)



This drawing of Lincoln's law offices on South Fifth Street in Springfield appeared in Leslie's Weekly Illustrated in 1860. Elements of its furnishings were incorporated into the 1960s restoration of the Tinsley Building law offices. (Photo courtesy Illinois State Historical Library)

day." As a result, Herndon served as de facto office manager, and anyone dropping into the office to seek legal advice was more likely to confer with him than with Lincoln.

Those absences from the office and the opportunities that they provided to meet people and local political leaders paid off for Lincoln in 1846. For three years he had lobbied for selection as the local Whig congressional candidate. Finally in 1846 he received the nomination and handily won the August election. In October 1847 Lincoln and his family moved to Washington. About that time, Herndon—possibly feeling that a smaller office would fit the needs of the law firm—moved to a room at the opposite end of the building. The partnership continued while Lincoln was in Washington, and letters between the two discussed pending cases. Herndon also served the congressman as a local listening post, keeping Lincoln abreast of the opinions of his constituents and local political leaders.

Lincoln, for whatever reason—historians are still arguing—did not run for re-election in 1848. He returned to

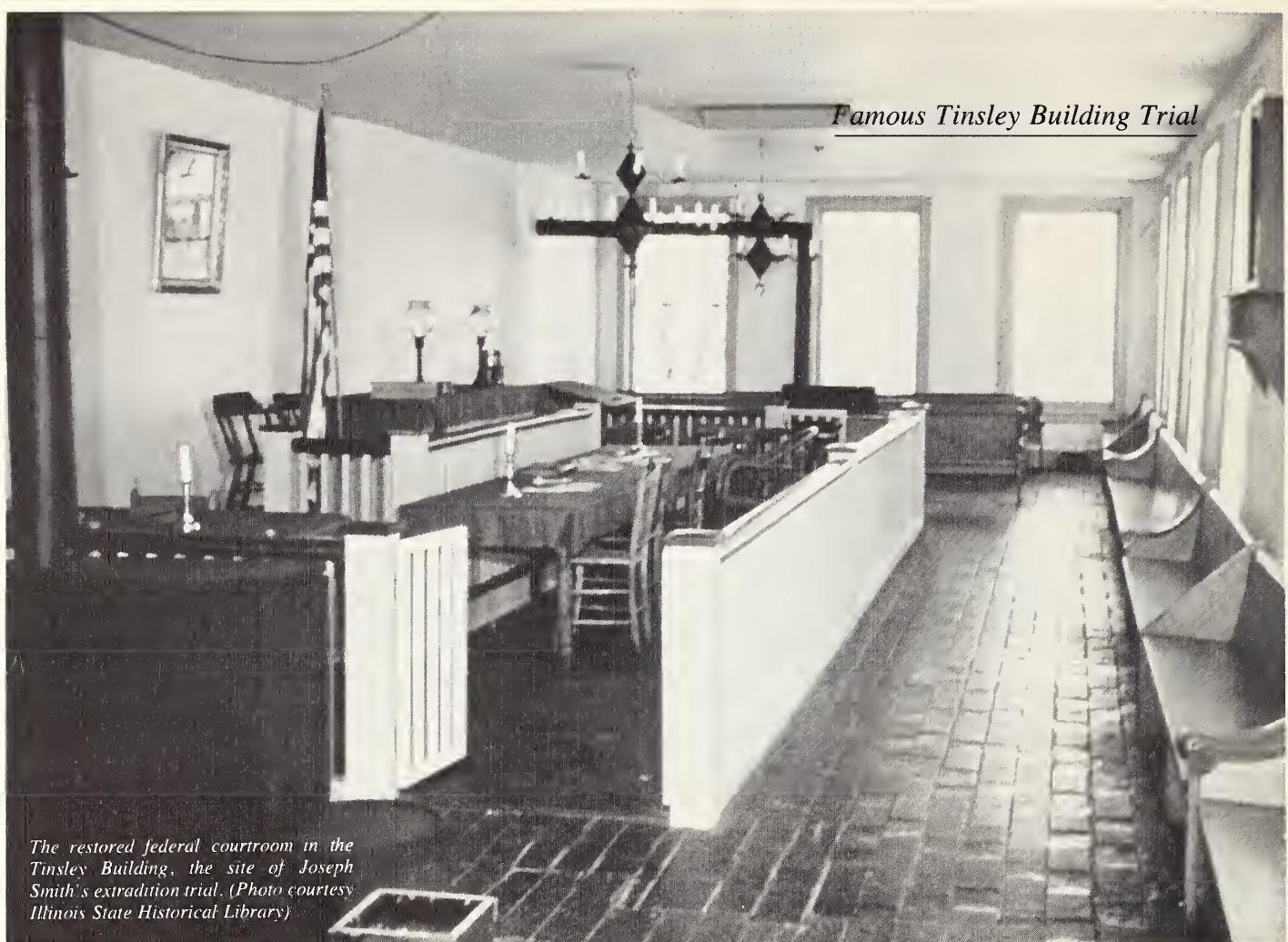
Springfield and the Tinsley Building office in March 1849 and, in his words, "practiced the law with greater earnestness than ever before." Lincoln and Herndon moved their office from the Tinsley Building sometime between September 1849 and October 1852. Information to make a more definite date possible is not known to exist.

The Tinsley Building was purchased by the state of Illinois in July 1985. Restored by its former owners in 1968, the building provides a glimpse of the world of law and politics so important to Abraham Lincoln.

Mark Johnson
Illinois Historic Preservation Agency



Gibson Harris, second from right, was Lincoln and Herndon's first clerk and law student. Harris was a clerk in their office when this photograph was made. All four men were associates of Lincoln. Seated from left to right: James H. Matheny, Lincoln's best man when he married Mary Todd; Samuel Baker, younger brother of Edward Baker, Lincoln's lifelong friend and political ally; Gibson Harris; and Zimri A. Enos, county surveyor of Sangamon County.



The restored federal courtroom in the Tinsley Building, the site of Joseph Smith's extradition trial. (Photo courtesy Illinois State Historical Library)

Smith Case Exhibits Informality of Courts in Lincoln's Day

"May it please the court. I appear before you today under circumstances most novel and peculiar." Those words, uttered in the federal courtroom of Springfield's Tinsley Building, opened the spirited defense in one of Illinois' most notable trials. Mormon Prophet Joseph Smith was fighting, in December 1842 and January 1843, extradition to Missouri, where he was accused of conspiracy to commit murder. The trial took place in the same building occupied by Abraham Lincoln's law office, and though Lincoln was not involved in the case, the trial exemplified an important part of the era's legal culture. While the courts (and legal practice as a whole) were characterized by a very informal manner, legal argument and consideration of legal issues were sophisticated. Crude frontier courts had, for the most part, left Illinois.

Joseph Smith and his Mormon followers spent several turbulent years in Missouri before moving to Nauvoo in 1839. Driven out of Ohio by hostile neighbors, the Mormons settled, in 1834, in Missouri. The group, primarily Yankees, soon aroused the suspicion of many of their new neighbors, most of whom had southern roots. A short-lived period of coexistence ended in

the summer of 1838 when violence broke out. The war culminated in Missouri Governor Lilburn Boggs' extermination order of October 27, 1838. The governor had, he declared, received "information of the most appalling [sic] character . . . placing the Mormons in an attitude of an open and

avowed defiance of the law, and having made war upon the people of this state."

Smith and several close associates were imprisoned for a time, but soon rejoined their people near Commerce (renamed Nauvoo), in western Illinois. Though the group hoped for a new beginning, their

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troubles with Missouri were not over. Authorities sought to extradite Mormon leaders for alleged crimes committed during their Missouri residency, and on June 4, 1841, Smith was arrested in Quincy, Illinois. He immediately applied for a writ of habeas corpus, which requires that a prisoner be brought before the court to decide the legality of his imprisonment. Illinois Supreme Court Justice Stephen Douglas ruled the arrest warrant illegal and ordered Smith released. The prophet's legal troubles, though, had barely begun.

The attempt to extradite Smith to Missouri for trial only intensified Mormon hostility to ex-governor Boggs, and on May 6, 1842, an attempt was made on his life. While sitting in his home Boggs was shot four times. He survived the wounds, though his life hung in the balance for several days. The Mormons, who had made no secret their hostility to Boggs, were immediately accused. The Nauvoo *Wasp* called the attempted murder "the Noble Deed."

Missouri officials began searching for Smith when former governor Boggs signed, on July 20, 1842, an affidavit that he had "good reason to believe, from evidence and information now in his possession" that Smith was an accessory before the fact to the assault. Boggs, however, did not claim that the conspiracy took place in Missouri or that Smith had been in and fled

Judge Nathaniel Pope presided over the Springfield trial of Joseph Smith. Despite the informality of the trial, attorney Justin Butterfield's defense and Judge Pope's ruling in the case revealed sophisticated legal consideration. (Photo courtesy Illinois State Historical Library)

Missouri. Those points came to be quite important. On the basis of Boggs' affidavit, Missouri Governor Thomas Reynolds contacted Governor Carlin of Illinois. Smith was, said Reynolds, a fugitive from Missouri justice and should be extradited for trial.

Governor Carlin complied with his request, and on August 8, 1842, the prophet was arrested in Hancock County, Illinois. A writ of habeas corpus was issued by the Nauvoo municipal court. Arresting officials, however, refused to recognize the writ, and Smith was left in charge of a marshal—but without the arrest warrant. Without one, the marshal could not legally hold his prisoner, and on that technicality Smith was freed. Furious, Governor Carlin went to Nauvoo to personally take Smith. A two hundred dollar reward offer did the governor no good—the prophet remained in the Nauvoo area without fear of arrest.

Meanwhile, Smith's supporters looked into real legal relief for their leader. Sidney Rigdon, a church elder, asked attorney Justin Butterfield, in mid-October, for an opinion on Smith's case. Butterfield, U.S. Attorney for Illinois, replied October 20 that Smith could not, in his opinion, be returned to Missouri for trial. His lengthy opinion boiled down to two points. First, since Smith had not fled from justice in Missouri, he could not be held for extradition. Second, if he was not in Missouri when a crime was committed there, he could not flee from justice in that state. Butterfield advised Smith to collect affidavits to prove that he was not in Missouri when the crime was committed. Butterfield also advised Smith to ask Governor Carlin to rescind the arrest warrant. Smith resolved to put Butterfield's plan to work after Carlin's successor, newly elected governor Thomas Ford, took office in December.

Ford was inaugurated December 8, 1842. Six days later Mormon elders, with Justin Butterfield in tow, presented the new executive with the affidavits and the federal attorney's opinion of the case. Ford agreed that Carlin's warrant was probably illegal, but doubted his power to revoke official acts of his predecessor. The state supreme court confirmed Ford's opinion. Ford suggested that Smith come to court to air his case, assuring the prophet that he would be protected from violence.

After borrowing one hundred dollars to cover his expenses, Smith was ready to begin a process that he hoped would end Missouri harassment. On December 26, 1842, he was arrested by his friend Wilson Law, and at 9 A.M. the next day they set out for Springfield to appeal to the federal court.

Preliminaries began on the morning of December 31 when Butterfield applied to



Rochester, Illinois, resident Benjamin West sketched Joseph Smith during his extradition trial in the federal courtroom. (Photo courtesy Illinois State Historical Library)

Judge Nathaniel Pope of the U.S. District Court for a writ of habeas corpus. At 11:30 A.M. Butterfield and his client appeared before the Judge. Butterfield read the arrest warrant, the affidavits swearing that Smith was not in Missouri when the crime was committed, and the request of Missouri Governor Reynolds that Smith be extradited for trial. Butterfield argued that Reynolds' request was a false one since it could be proved that Smith was in Illinois when Boggs was shot. The habeas corpus was granted, and Smith was released on bond until his case could be heard.

Court reconvened at ten o'clock on the morning of January 2. The courtroom was filled to capacity (as it would continue to be), and Judge Pope took his place on the bench "accompanied by several ladies." Federal marshal Prentiss remarked that it was the first time during his service with the court that women had attended a trial. Illinois Attorney General Josiah Lamborn, representing the state, asked for a continuance, which was granted. After lunch Smith was visited by Prentiss, prosecutor Lamborn, and others. A pleasant conversation ensued, and Smith later recalled that "a peculiarly pleasant and conciliatory feeling prevailed in the company."

Those two incidents illustrate the informality of the courts in Lincoln's day. The seating of women on the judge's bench and the pleasant visit between Smith, the federal marshal, and prosecutor Lamborn seem inappropriate today. In the nineteenth century, however, this informality may have helped provide the legal process with

(continued on page 7)





Smith Case Exhibits Informality of Courts in Lincoln's Day

(continued from page 5)

legitimacy in the eyes of the people. It also enabled judges, attorneys, and their clients to communicate directly and settle issues face to face.

The trial reopened January 4. On the bench with Pope were ten women, among them his daughter and the newly married Mary Lincoln. Josiah Lamborn, six feet tall with long black hair and a crippled leg, opened for the state of Illinois by arguing that the federal court had no jurisdiction in the case. He objected on two grounds. First, Smith was arrested by authority of the state of Illinois, not the United States. Second, he contended that when a fugitive from justice is arrested by one governor upon request of another governor, no court has authority to look into the facts justifying the warrant. Here he was hoping to exclude Smith's affidavits.

Butterfield responded by offering into evidence the affidavits affirming that Smith was at Nauvoo when Boggs was whot. Lamborn objected, again arguing that the law gave them no right to look into the facts behind Boggs' affidavit. Butterfield retorted that there was every right to prove Boggs' affidavit untrue, but that technically the affidavits were not contradictory because Boggs did not claim that Smith was in Missouri on the day of the assault. Lamborn's objections were overruled and Smith's affidavits entered as evidence.

The defense then opened its case. Benjamin Edwards of Springfield spoke first. His animated speech dwelt on persecutions suffered by Smith and his followers in Missouri. His rather emotional appeal was followed by the arguments of Justin Butterfield, an imposing figure in a blue cutaway with brass buttons and buff colored vest. According to several recollections, Butterfield's opening remarks were the high point of the trial, illustrating the informality of court etiquette. Well known for his sense of humor, Butterfield opened his plea:

May it please the court. I appear before you today under circumstances most novel and peculiar. I am to address the Pope (bowing to the judge) surrounded by angels (bowing lower to the ladies), in the presence of the holy Apostles (gesturing to the Mormons), in behalf of the Prophet of the Lord.

Butterfield was more prosaic, however, as he presented his well-crafted defense. He first dealt with Lamborn's argument that the federal court did not have jurisdiction in the case. Butterfield contended that since Smith was arrested and held for extradition by authority of Article 4 Section 2 of the U.S. Constitution, he could

sue for freedom *only* in the federal courts, saying, "When a person's rights are invaded under a law of the United States, he has no remedy except in the courts of the United States." Moreover, he cited precedent to prove that the court must look into depositions in cases where no indictment had been issued. (Remember that Smith had not been indicted in Missouri. Boggs swore that he had evidence to show Smith was involved in the shooting, but no legal charges had been filed.) Butterfield argued that since Boggs' deposition proved neither that Smith was charged with a crime, nor that he had fled Missouri, Smith was not a fugitive and must be released.

Attorney General Lamborn responded by producing citations in support of his contentions. It seems, though, to have been a very half-hearted effort. According to Smith, "Esquire Lamborn was not severe, apparently saying little more than his relation to the case demanded."

Following adjournment of court until the next morning, Smith and some friends rode to the home of William Prentiss, federal

marshal for Illinois. There they enjoyed supper and what Smith called "a very interesting visit with Mr. Prentiss and family, Judge [Stephen] Douglas, Esquire Butterfield, Lamborn and Edwards, Judge Pope's son [William], and many others. . . . There were many interesting anecdotes, and everything to render the repast and visit agreeable."

At 9 A.M. on January 4, 1843, Smith entered a courtroom crowded with spectators anxious to see the Prophet. Judge Pope took his seat at the bench and opened with a statement of the case's importance. Declaring that an erroneous decision could threaten "the lives and liberties of our citizens," he reviewed European history regarding the problems of fugitives and the genius of the founding fathers in making the issue one of national rather than state concern. Then Pope came to the heart of his ruling. Pope declared that since Smith was arrested by authority of Article 4 Section 2 of the U.S. Constitution, the federal courts were, in fact, the proper forum for his appeal. Pope also overruled the attorney general's other objection to Smith's affidavits.

Pope then considered the legality of Smith's arrest. The Judge ruled that "to authorize the arrest in this case, the affidavit should have stated distinctly 1st, that Smith had committed a crime; 2nd, that he committed it in Missouri." It must "also appear that he fled from Missouri to authorize the governor of Missouri to demand him, as none other than the governor of the state from which he fled can make the demand." In that matter Pope found Boggs' affidavit flawed: "He should have stated the facts" to enable a Missouri court to decide whether or not to indict. Without an indictment extradition would be hard to justify, since, as Pope noted, "The language of the Constitution is 'Charged with felony or other crime'."

Pope regretted that there were no American precedents to guide him in the matter of suspicion. He concluded that if a person suspected of crime was imprisoned and tried near his home, suspicion could be a valid cause for arrest. Such, however, was not Smith's case:

It is proposed to . . . deliver him into the custody of strangers . . . to be arraigned for trial before a foreign tribunal, governed by laws unknown to him. . . . Had he an immaculate character, it would not avail him with strangers. Such a spectacle is enough to challenge the strictest analysis.



Book Reviews

A Commemorative History of Champaign County, Illinois: 1833-1983. Willis C. Baker and Patricia L. Miller. Champaign, Ill.: Illinois Heritage Association, 1984. Order from Illinois Heritage Association, Station A, Box C, Champaign, IL 61820. Price: \$29.95, \$1.80 tax, \$3.50 shipping and handling; no tax for libraries or nonprofit organizations.

This handsome book, published in observance of Champaign County's sesquicentennial, provides a broad overview of the growth and development of that important eastern Illinois area. The text is supplemented by an abundance of maps, charts, historical photographs, and contemporary views. Photo captions provide a well-used opportunity to provide interesting bits of information that would not otherwise fit in the text.

A Commemorative History of Champaign County is a refreshing and readable county history. Instead of dividing the book into topics, the authors chose the more difficult task of writing a cohesive narrative. The work of accomplished writers, the text flows smoothly from topic sentence to paragraph, page to page. Recent history, frequently more difficult to research is not neglected here; the authors document well Champaign County's post-war history. Indeed they do record the county's history to 1983, ensuring this book's value for many years to come.

The authors include especially useful but rare items in their history—an index, a list of Champaign County's centennial farms, a chronology of selected Champaign County events, and an inventory of county properties on the National Register of Historic Places.

A Commemorative History of Champaign County received the Illinois State Historical Society's 1985 Book Award of Superior Achievement, the highest level of achievement in the book category recognized by the Society. It sets a standard that other histories should strive to meet.

Aurora, Illinois, Illustrated: A Brief Sketch of a Beautiful and Progressive City. J.H. Hodder & Co., 1890. Reprint. Aurora: Aurora Preservation Commission, 1984. Contact Aurora Preservation Commission, 44 East Downer Place, Aurora, IL 60507.

The Aurora Preservation Commission reprinted *Aurora Illustrated* in 1984. An attractive volume, this sixty-four-page book presents a number of period photographs and illustrations of notable public and

private buildings. Century-old descriptions of public utilities, churches, fraternal organizations, and businesses are described in characteristically effusive language. The historic photos and illustrations make this an important document for preservationists and local historians. The latest reprint of the Aurora sketch is out of print. Interested readers should contact the Commission or their local library.

Evelyn R. Moore

Smith Case

(continued from page 7)

Pope then proceeded to analyze the evidence contained in Boggs' affidavit, and with it came to the decisive point in the case. Note here the importance of what Boggs wrote, as opposed to what Governor Reynolds *said* Boggs had written:

Boggs, in his affidavit, does not call Smith a fugitive from justice . . . nor does Boggs say that Smith fled. Yet the governor [Reynolds] says he fled to the state of Illinois. The governor of Illinois responding to the demand . . . issues his warrant . . . charging that Smith was charged with being an accessory to the assault, and that Smith fled justice in Missouri. . . .

The judge concluded:

Those facts do not appear by the affidavit of Boggs . . . The court can alone regard the facts set forth in the affidavit of Boggs as having any legal existence. The mis-recitals and over-statements . . . cannot be received as evidence to deprive a citizen of his liberty and transport him to a foreign state for trial. For these reasons Smith must be discharged.

The Springfield trial provided only temporary legal relief for Smith and his followers. The Mormon's rising political power and unpopular religious doctrines increased regional antagonisms, and when Joseph Smith was imprisoned in Carthage a year and a half later, he was killed when an angry mob stormed the jail. In February 1846 the Mormons crossed the Mississippi for Iowa, ending their controversial tenure in Illinois.

Mark Johnson
Illinois Historic Preservation Agency

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THE LINCOLN-HERNDON BUILDING

Law Offices — Federal Court — Post Office



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Only two blocks west and three blocks north of Abraham Lincoln's home sits the original, gently graceful building that housed Mr. Lincoln's offices, the Federal Court where he practiced, and the early Post Office. You can walk to it *in his footsteps*, or you can drive to it and park in the unique garage beneath the Old Capitol *across the street from the offices*, Sixth at Adams.

Or you may *start* from the Old Capitol, cross the street and visit the offices, court, post office, and *then* walk or ride the path Mr. Lincoln took, for many years, to his home. He walked these five blocks from 1843-1852—ten years—during his time as Congressman, lawyer, poet, inventor, husband, father, and much more.

Seeing these offices and the court, the visitor will sense something of the life, style, times of Abraham Lincoln the bread-winner, the hard-working lawyer supporting his family. It offers a unique opportunity to see this primary evidence of the middle years, those formative years that were to be for him, and for us all, so crucial.

It is just as it was in 1843, when Mr. Lincoln moved into the top floor, front office. Built in 1840, the original walls, floors, ceiling, still stand; only the furnishings have been added. The second and third floor exterior walls were sand-blasted to restore their original color and texture so that the building appears as if it were just built. The first floor was largely reconstructed using 125-year old bricks to match the floors above. In the first floor there is a beautiful store with 19th Century fixtures.

In this building Mr. Lincoln practiced law with Stephen T. Logan, his second law partner.

While here, his first child, Robert Todd Lincoln was born.

While here, in 1843, Mr. Lincoln refused to encourage the movement to nominate him for Governor of Illinois.

While here, Edward Baker Lincoln was born and named after one of Mr. Lincoln's dearest friends; U. S. Senator and Civil War Colonel Edward D. Baker. Senator Baker's office, next to Mr. Lincoln's, has also been restored.

While here, in 1846, Mr. Lincoln was elected to Congress, his first major step onto the national political stage. This began the act that was to be for him and for all of us a great, portentous, tragic drama whose end is not yet in sight.

While here, Mr. Lincoln declined a proffered appointment as Governor of the Oregon Territory.

While here, Edward Baker Lincoln died and William Wallace Lincoln was born.

All this is to say nothing of his practice of law in the Federal Court below his office. It was the only Federal Court in Illinois in 1845 and *has been restored*.

Many other famous men worked in this building, and their stories are told *in a short performance with slides and sound* describing the men, the times, the building, and Mr. Lincoln.

Mr. Lincoln had offices in the Lincoln-Herndon Building when this daguerreotype was taken in 1846.



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